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LETTERS

within the cage

New York City

DEAR SIRS: "Nothing makes life safe," said Elizabeth Bowen in *The House in Paris*. Your editorial, "Bulletproof Illusions," in the Dec. 2 issue, pretends to give an answer to an unsolvable problem—something *The Nation* rarely does. . . . There *is* no answer at present as to how to protect our public officials from assassination. You give the impression that President de Gaulle is safer for not being surrounded by a battalion of security forces. But in an essay in *Time* magazine, printed after Robert Kennedy's death, I read the following, also urging the United States to look to France for helpful ideas:

> When de Gaulle travels, his car [this presumably applies also to the new Citroen] is flanked by tough *Compagnie Républicaine de Sécurité* troopers on motorbikes; helicopters hover overhead, and the pace is a brisk 80 miles an hour or more. In towns en route, operating rooms are reserved in hospitals and a supply of de Gaulle's blood type is stocked.

If de Gaulle has survived three or more assassination attempts (and does the fact of survival indicate lack of danger?) it is not because he has strolled alone and barefoot down the Champs Elysées, being wary only of stepping on sharp sticks and nails. *Florence Victor*

The intention of the editorial in question must have been obscure, since Miss Victor misunderstood it. We agree with Miss Bowen, nothing makes life safe; and for conspicuous politicians the risk is particularly great. All we meant to suggest was that the degree of safety which can be attained will be gained through the relationship of the leader to the people. Security measures taken in the absence of a harmonious relationship are largely showmanship. They may have a negative effect, since they advertise the fear of assassination and may stimulate the gunman to penetrate a shield which cannot be invulnerable if the man within it is to do his job. *Editors*

Marines on trial

Honolulu, Hawaii

DEAR SIRS: This is an appeal for moral and financial support for two Marines, Lance Cpl. Thomas J. Met, 21, and Pfc. Young C. (Gary) Gray, 19, who are being court-martialed for having spoken out strongly against the Vietnamese War in a sanctuary held for them at the University of Hawaii in November. Because of the publicity generated by the four-day sanctuary in the midst of the largely military population of Oahu, unusually heavy charges have been made against these two men with possible sentences of more than twenty years' imprisonment for each.

The Hawaii Resistance's support of Met and Gray has included obtaining for them the best possible legal defense, by a civilian lawyer with a background and training in military cases. Legal fees for the two upcoming courts-martial, and likely appeals to follow, will be at least $2,500. Checks for this purpose may be sent to: Committee for Conscience, c/o Prof. James W. Douglass, Department of Religion, University of Hawaii, Honolulu, Hawaii 96822.

The Marine command in particular is determined to make these men pay heavily for making public their opposition to the war and appealing to the conscience of other Marines. Support for their right to make such a stand in conscience can be given by writing to: Col. F. C. Opeka, Kaneohe Marine Corps Air Station, c/o F.P.O. San Francisco, Calif. 96615.

James W. Douglass, Asst. Prof. of Religion
University of Hawaii

EDITORIALS

Auld Lang Syne

The occasion of the President's farewell address to the Congress—the setting, the overtones, the scene—was of more interest than his message. He always appears to best advantage when seen in this setting, in surroundings that are familiar to him, and among those with whom he feels at ease. The Congress was quite willing—even bipartisanly eager—to cheer him on his way. He is one of them; they know and understand him as he knows and understands them. He would have liked to go along with the $50,000 proposal for Congressional salaries, but the legislators were happy that he recommended $42,500. At the end the scene was rather like that in a fraternal lodge when Past Masters, Grand Vicars and Exalted Rulers are introduced one by one, smile benevolently, and with a little coaxing finally stand and bow to the inevitable "rising ovation." For a time Congress was rising and sitting with such frequency that some of the more venerable must have become a bit winded. It was auld lang syne, even if President Johnson was not exactly a jolly good fellow.

As to the message, about all that can or need be said is that the President ticked off what he regards as his major achievements—virtually all in the domestic field—and urged Congress to continue along lines he has charted. But what he said had a great emptiness. As in his prior State of the Union message, the President still does not seem to realize the character of the times, or sense what has gone wrong. It was still as though this country has no problems that a few more Great Society measures, generously funded, would not remedy. In brief, the occasion is more likely to be remembered than the message. With regard to the latter, one wonders if any of Mr. Johnson's aides reminded him of President Eisenhower's farewell address on the dangers of militarism and the military-industrial complex. President Eisenhower, on that occasion, left the country a message from which it will quote for a long time; President Johnson left us quoteless.

Battle for the Mind of Nixon

In a situation like the one the United States now faces in Vietnam, only the top of the iceberg is revealed to the public. The great submerged mass, however diligently the news media may try to discern its shape, is hidden from all but the immediate participants in the drama, who cannot afford to reveal much of what they know. They let out only what suits their purposes, personally or as members of a group.

Nothing else can explain the appalling lack of hard news regarding Vietnam in the days preceding the inauguration of Richard M. Nixon. There has been no end of conjecture regarding the shape of the table about which the negotiators would gather, but about the state of mind of Mr. Nixon himself—which is the element of paramount

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importance—we have been told nothing. That he was subject to all kinds of pushing and hauling there can be no doubt, and that this struggle in and around him will continue for at least a few weeks is highly probable.

Subjectively, Nixon is not impossible to figure out. Riding to McCarthy's hounds was a major factor in putting him where he is, and while he may now feel that redbaiting has served its purpose and that he would fare better with a more statesmanlike pose, he cannot afford to appear "soft on communism." It would be logical, then, for him to temporize, to regard the drag-out, wear 'em down technique as the least risky in dealing with the Vietcong and the North Vietnamese. This technique, moreover, dovetails with the wishes of the satraps who function as the government of South Vietnam and who, if they cannot have perpetual war, will postpone the advent of peace as long as possible. And it would explain the appointment of the hawkish Henry Cabot Lodge as the new U.S. chief negotiator, and the retention of both Ellsworth Bunker and William P. Bundy.

But there is the North Vietnam side to be reckoned with, and they are able to exert pressures of their own. They will want to show Nixon that they are not push-overs, that this war cannot be wound up as easily as some of the American generals have implied. If the enemy finds it militarily feasible, they may engage us in another round of vicious fighting, or instigate among those in the South Vietnamese government who are prepared to work with them a coup which would at the very least eliminate the ex-vice air marshal, now vice president, Nguyen Cao Ky.

Other domestic pressures are likely to come from the American business community—pressures not to be underestimated in a business-minded Administration. Except for such immediate beneficiaries as the aerospace corporations, U.S. big business has written off the venture in Vietnam as a losing proposition. These astute operators are more concerned about the stability of the dollar than about the precise terms of the settlement in Vietnam. They are prey to another worry—the increasingly explosive situation in the Middle East—and that must be Mr. Nixon's worry too.

All in all, Mr. Nixon would seem well advised to overcome his fears, grasp the nettle, and wind up the Vietnamese embroilment as soon as possible. Squawks he can deal with, on the ground that it was not a war of his making (few remember that he counseled sending in American aircraft when the French were dying at Dienbienphu), and he will stand before the public as the great peacemaker. He will find support among Democrats and Republicans, among Americans and foreigners. Clark Clifford's influence in Washington will not evaporate when he turns over the Pentagon to Mr. Laird; Stuart Symington remains in the Senate and so does George McGovern, together with the all-powerful Senator Russell. The Republicans would like to end those weekly U.S. casualty lists. The Swedes did not decide to recognize North Vietnam on a whim. And on the battlefield, while the morale of the American generals remains high, ominous reports are circulating about disaffection among the enlisted men, and racial conflict within the services. It all adds up to two words: get out.

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Lost Cause

Dr. Edward U. Condon is a dedicated scientist who, on behalf of the integrity of science, allowed himself to get involved in the investigation of UFOs (unidentified flying objects). He never had a chance. The best that could be expected is that he would make a good try, and Dr. Condon has done that. In a lifetime of taking on tough jobs, he has always come out with credit. He proved to be too much even for Sen. Joe McCarthy, and when the Air Force asked him to tackle the flying saucer mystery, he was equally undaunted.

When he and the University of Colorado team accepted the assignment, *The Nation* editorialized ("Can Dr. Condon See It Through?" October 31, 1966) that if the investigators came up with anything less than the little green men from Mars, they would be "crucified." We also thought that the report might explain some of the small number of genuinely puzzling sightings, and perhaps more important that the psychologists on Dr. Condon's staff might be able to provide some insight into the reasons for so much credulity based on so little evidence.

That editorial is reprinted in the Condon report, 200,000 copies of which are being put out by Bantam Books with commendable celerity. In the meantime a disaffected staff member already has a book out, and undoubtedly there will be others. But anyone who is seriously interested should read what Dr. Condon and his associates have actually said, rather than some of the distorted compendiums of the 1,485-page report that are bound to get into circulation.

The Colorado report disposes convincingly of almost all the cases investigated, but three or four remain unexplained. Several involve puzzling radar sightings, and in one case an optical photograph was taken, and all the factors involved—geometrical, psychological and physical—"appear to be consistent with the assertion that an extraordinary flying object, silvery, metallic, disk-shaped, tens of meters in diameter, and evidently artificial, flew within sight of two witnesses." Fabrication of the photograph could not be ruled out, but the witnesses did not appear to be the kind of people who would engage in such tomfoolery.

The Colorado team concluded that "further extensive study of UFOs probably cannot be justified," thereby getting the Air Force off the hot spot which the flying saucer furor had created. Henceforth normal intelligence gathering activities of the Air Force should suffice. This conclusion was confirmed by an eleven-man panel of eminent scientists convened by the National Academy of Sciences. The panel was unanimous in the opinion that "this has been a very creditable effort to apply objectively the relevant techniques of science to the solution of the UFO problem."

Nevertheless a sizable section of the public persists in the belief that "flying saucers" represent visitations from other worlds. What can account for the existence of this mass of "true believers"? We are supposed to live in an age of ever increasing rationality—and to some extent, in some quarters, this is true—but science and its methods also inspire stout resistance, especially where the subject is one of ancient myth and emotional connotation. Since it would be sensational indeed if beings from another world thought it worth their while to come calling, many people are willing to believe that it must be so. And one result of the recent magnificent advances in cosmological knowledge, as of our tentative probings into space, is to make earthlings feel their loneliness—we yearn for neighbors among the stars. Hardly any of these true believers have seen, or even thought they saw, anything, but they insist on crediting the stories of those who did see something—stories which on investigation almost invariably turn out either to be unreliable or to have a naturalistic explanation.

A certain amount of intellectual damage is done by gullibility. Lord Russell insists that one should not believe anything for which there is no rational evidence; among other evils it makes systematic deception, such as that practiced by governments on the governed, all too easy. Those who are conditioned to credulity in childhood are likely to remain credulous all their lives. This indeed is one of the reasons why children should not be subjected to what has been aptly termed "science pornography." One of the conclusions in Section 1 of the Condon report is that children "are educationally harmed by absorbing unsound and erroneous material as if it were scientifically well founded. Such study is harmful not merely because of the erroneous nature of the material itself, but also because such study retards the development of a critical faculty with regard to scientific evidence, which to some degree ought to be part of the education of every American."

The report recommends that teachers should refrain from giving credit for school work based on reading of UFO books and magazine articles, most of which, like the astrological lore in the newspapers, present as truth material that is patently false or based on gross superstition. In this area alone the report performs a public service of no small importance.

Mayor Lindsay

John Lindsay is reported to be undecided about whether he will seek re-election this year as Mayor of New York City. We hope that he will decide, and soon, to announce his candidacy.

Mr. Lindsay's qualities as a person and as a politician impressed us long before he became mayor of New York, and his performance in that impossible office has fulfilled our confidence in his leadership. He has not performed any miracles, but we never thought he would; even miracle workers must have something going for them. That he has made some mistakes is not surprising. But he has never ceased to communicate his concern for the city's residents, his devotion to the city itself—its history, its traditions, its special qualities—and he has made a valiant effort to induce those who feel about the city as he does to help him find ways and means of mitigating, if not "solving," some of its more intractable problems.

It is no small achievement, and one due largely to his personal leadership, that the city has to date been able to avoid serious civil disorders. Being mayor of New York

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is a grueling experience. The rewards, if any, must be bestowed in heaven, for the office has been the graveyard of politicians throughout the city's history. Only someone who loves the city as Mayor Lindsay does could reasonably be expected to endure the daily punishments which the office inflicts on the incumbent.

The Democrats may come up with better candidates than they have offered in the recent past, and we therefore reserve judgment until the cast of candidates is known. But it would be a great misfortune for the city if Mayor Lindsay decided not to run again.

Justice–a Bit Deferred

In his farewell address President Johnson urged us "to make our country more just," an objective from which few would dissent. And we are perhaps moving in that direction, if at a sluggish pace. After nine security hearings, John Paton Davies, Jr., dismissed from the State Department in 1954 as a possible security risk, has finally been given clearance fifteen years later. Mr. Davies, a distinguished career diplomat, is clearly the beneficiary of the spasm of conscience that assails Washington officials as they are about to leave office.

On the same day the U.S. Court of Appeals ordered the release of Morton Sobell, who might be described as a bystander victim of the Rosenberg spy hysteria, after serving almost twenty years in prison. Clemency was not involved; Sobell won his own release by good conduct, but it took a court order to secure it. He should have been released long since. (See "The Sobell Case" by Stephen Love, *The Nation*, June 23, 1956; "Perspective on the Sobell Case" by William M. Kunstler, *The Nation*, November 12, 1960.)

Bodies or Ballots?

Six commuters on the Long Island Railroad were recently given rough and stupid handling by the police because they had sought to protest, by the only practical means available, the wretched service of a line which—to quote *The New York Times*—"insults 200,000 commuters every day." The six refused to hand over their tickets promptly to the conductor, although it was clear that they had them; one commuter displayed his ticket prominently in his coat pocket. All the same, the protesters were removed from the train at the next stop and turned over to the police. Three young secretaries, part of the group, were hustled off to the Women's House of Detention in Greenwich Village, where one of them, she later told the press, was forced to disrobe and subjected to the humiliating physical examination given narcotic addicts and prostitutes. The next day Judge J. Wolfe Chassen dismissed the charges. "Why aren't these people," he asked, "entitled to the service for which they paid?" A happy disposition of what might seem to be a minor incident, but a larger issue is involved.

Must a citizen use his body as he once used his ballot in order to force a public agency—in this case the Metropolitan Transportation Authority—to redress valid grievances which he shares with 200,000 similarly situated citizens? As we pointed out recently ("Lesson of the Year," January 6), it is becoming more and more difficult for genuine public grievances to win consideration on their merits. True, the courts are enlarging the scope of "representative" lawsuits—that is, actions brought on behalf of a group or class of persons to redress a group grievance—but this is a slow and costly process. The ombudsman idea is good, but more applicable to individual than to group grievances.

Besides, in most instances the trouble relates back to an earlier decision taken without due consideration of the issues, the options or the possible consequences. Government and quasi-government agencies are more and more inclined *not* to listen before they decide; if they listen at all, it is usually after the decision has been taken, and even then they attend in a perfunctory way. Nowadays most legislative and administrative reviews are at best pseudo-hearings, designed to create the appearance, not the substance, of consultation. For example, only five-minute presentations are allowed witnesses representing responsible organizations in testifying against a military appropriation bill, the magnitude of which has already been determined. They register their opposition, but they cannot secure the right of consultation. And decisions taken without consultation are difficult to reverse; sometimes the consequences are already irreversible. The habit of making decisions without proper consultation breeds an arrogance which is apt to brush aside subsequent protests as of little moment.

At a packed luncheon meeting during the recent Commonwealth sessions in London, Prime Minister Pierre Trudeau told a fascinated audience that the central political problem of Canada is to find a way to give "disenchanted minorities—the picketers and protesters—a voice in the government of the country. If the social order is a fraud, it should be torn down." Ways and means must be found, he insisted, by which grievances can be given direct and honest consideration. "We will have to restructure political parties," Mr. Trudeau said, "so they can become vehicles for dialogue, for protest and for involvement."

True, but this is only a part—and a small part—of the answer. We must go further and devise a variety of means, which can be tested, by which citizens in a mass industrial society can be consulted about decisions affecting them and the consequences of these decisions. (See "Where Power Belongs" by Anthony Wedgwood Benn, *The Nation*, August 26, 1968.)

No Work for the Hangman

For the first year in the history of this violent country, not one person was legally executed in 1968. Only one execution took place in 1966, two in 1967. In prior years there had been a marked and continuous decline from the large numbers (about 150 per year) in the period when capital punishment was generally approved by people of all creeds, ages, economic positions and education. Today the various opinion polls indicate that more and more people everywhere, and with greater vehemence, oppose

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the death penalty; despite the well advertised hue and cry against crime in the streets, a majority is now against execution for any offense. Legislative action, however, has not kept pace with popular opinion, because of pressure from the police and prosecutors, the passion of its proponents, and the same inertia that kept witch laws on the books long after they were ignored. In most of the Western world, the death penalty has either been abolished or is in disuse. Thirteen of our states have joined in abolition; virtually all the others have ceased to carry out executions.

At the same time, there is at present an "inventory" throughout the nation of about 500 persons under sentence of death. With respect to these, a dilemma confronts the courts, and particularly the U.S. Supreme Court: how may their lives be saved without the courts' doing violence to the principle that public policy is set by the legislatures? This problem confronted the California Supreme Court when it recently refused to end capital punishment by a 4-to-3 vote. One of the majority members, himself strongly opposed to the death penalty, felt he had no right to end it judicially. The same court set aside the death penalty in two cases directly before it and decided to review all pending death cases on the basis of the landmark *Witherspoon* decision of the U.S. Supreme Court, handed down in midyear.

In the *Witherspoon* opinion the Court said, for the first time in history, that prospective jurors may not be excluded merely for their scruples against capital punishment. [See "The Death Penalty and Fair Trial" by Walter E. Oberer, *The Nation*, April 6, 1964.] It affirmed Witherspoon's conviction, but set aside the death sentence. In a footnote, the Court declared its ruling retroactive—it would apply to all cases, regardless of when tried. Since then, cases everywhere in the country have cited *Witherspoon* with the same disparity of result that prevailed in the period between *Escobedo* and *Miranda* (cases involving police interrogation of accused persons), making it evident that the highest court will have to state more specifically what it intends the true meaning of *Witherspoon* to be.

The Court is already in the process of considering other aspects of the problem not resolved earlier. In its *Witherspoon* amicus brief (prepared by the writer), the American Civil Liberties Union pointed out that a jury in a murder case is given no legal guidelines for deciding between death and a lesser sentence; its power is absolute, and this can make it an instrument for passion and the gravest injustice. While the Court did not then consider the point—perhaps because it concluded that there can be no rational guidelines in an irrational situation—it has recently granted a review in another case in which that very point is raised. As this case and others reach the Court, it may conclude that in a practical and constitutional sense it alone, and no other tribunal or legislative body, can dispose of the dread "inventory" of 500 condemned persons (including Illinois' prime problem, Speck) and rid the nation of the extreme and irreversible penalty. After all, the death penalty has become "cruel and unusual" in the constitutional sense (since it is so seldom and so capriciously carried out), and this obvious fact may well be recognized by the Court.

Society will then be obliged to look to sensible solutions, rather than anger and passion, for its conduct of criminal justice.

ELMER GERTZ

INSURGENTS IN CAUCUS

CLUB BUSINESS ON THE HILL

ROBERT G. SHERRILL

Washington

The successful unhorsing of Russell Long as Democratic Whip in the Senate and the effort to depose John McCormack as Speaker in the House certainly do not portend a militant liberalism in either body of Congress. They were housekeeping ventures.

A few weeks ago Russell Long went around getting commitments of support for his re-election as Whip, and since at that time there seemed little likelihood that he would be opposed at all, he got thirty-nine assurances, more than enough to put him back in. But that was no token of his popularity. Since his election as Whip in 1965, the oilman-Senator from Louisiana has gone out of his way to offend other Senators, and since the spring of 1967 he has been viewed by much of the Senate as a dangerous scatterbrain.

On April 13, 1967, the Senate voted 48 to 42 to repeal a bill it had passed the previous winter, which appropriated $14 million for the election campaigns of both Democratic and Republican candidates, and $26 million for the expenses of Senatorial candidates. Long was determined to protect the slush fund if he had to destroy the session doing it. For a month he disrupted Senate business. His bullying tactics were denounced by his colleagues as a "vice"; Senator Symington upbraided him publicly for forsaking his duties. Senator Scott said: "The proceedings here have humiliated the Senate. They have humiliated the country. I think we have become a laughingstock." Long responded by ordering Scott to retract his "insults," and Scott shouted back, "Don't threaten me!" That exchange was not carried in the *Congressional Record*.

Nor did the *Congressional Record* convey the true bitterness which other Senators began to feel in their hearts for Long after those cockeyed weeks in which he carried out a semi-filibuster for a bill that nobody else in the

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Senate really cared about. *The Wall Street Journal* called Long's performance "extraordinary," and reported that his antics had "increasingly alarmed other Senators." The *Journal*, *New York Times* and other major newspapers predicted that Long had probably spoiled forever any chance he might have had of becoming Majority Leader.

By the time 1967 was out, it was also clear that Long had perhaps spoiled his chances to hold on to the Whip's job, and it certainly took no great jarring of loyalties for Edward Kennedy, a year later, to cut loose enough of Long's "committed" support to win. Senators don't mind too much that one of their colleagues is a racist or a devotee of the special interests—both of which Long is—but when he disturbs the decorum of The Club, he is in trouble.

One who had promised Long his support last fall but quickly switched to Kennedy was Ralph Yarborough of Texas. This was a significant switch because the two men are quite close on economic matters and Long had done little favors for Yarborough that might have been expected to hold the Texan in line. For instance, Yarborough lacked sufficient seniority to get a seat at John Kennedy's funeral, so Long gave him his own ticket.

In 1962, Long and nine other Senators tried unsuccessfully to keep the Telstar (Comsat) development from being given away to American Telephone and Telegraph. They took a lot of abuse, not only from colleagues but from the press as well, and from that ordeal they developed an enduring closeness. Long was the leader of the filibuster; Yarborough and Gore of Tennessee and Burdick of North Dakota are the only three others in the group who are still in the Senate, and it is noteworthy that they all voted against Long for the Whip's job. Aside from everything else (including Long's insistence that anybody who doesn't approve of the war in Vietnam must be no patriot), Long had offended many Senators by insulting and haranguing them in defense of Dodd when the latter was up for censuring.

Kennedy was not elected because he is looked upon as promising material for leadership; in fact, he has the reputation, justified or not, of being a little slow-witted. Nor was he elected as the result of "Kennedy charisma." The Senators voted for him simply because Long had for months been judged unfit. Kennedy will give more push to Democratic programs than Long did (that won't be hard; Long, according to *Congressional Quarterly*, supported the Administration less frequently than did Republican Bourke Hickenlooper of Iowa), but at the same time Kennedy has no record of being a strong fighter for liberal causes. His principal asset will be his ability to work with Majority Leader Mansfield, himself a rather weak man, who was made weaker by the fact that Long and he were incapable of working together and often found themselves working against each other.

The effort to unseat McCormack as Speaker of the House was much more interesting because it was more complex. The 243 Democrats in the House can be divided roughly into three portions of eighty each: Southern Democrats, big-city machine Democrats and program liberals (with some overlapping between the latter two groups). To win the speakership, alliances must obviously be made among the groups. Morris Udall thought he might be able to do it. He is sent to Washington by a rather conservative constituency but he votes moderate. Being a Representative from Arizona—which has no natural enemies—he figured he might wangle support from all three factions. He thought for sure that he could attract sixty or seventy votes on the first ballot, perhaps as many as ninety.

But several things went wrong. Udall never managed to persuade the Southerners that he wasn't being used as a battering ram by the wild-eyed liberals of the House—in this case meaning the Brock Adams Brigade. Adams, from Seattle, Wash., qualifies as wild-eyed by House standards because he is hot to correct the draft inequities and get on with cleaning up the city problems. His strategy offends the House leadership, moreover, because he is convinced that if he can stir up enough public indignation, the House will be forced to remove the old fogies from their positions of policy domination and put in some young fellows who are willing to make social changes. The House leadership resents the use of public opinion in this way, and Adams is considered far out of line.

Adams let it be known last fall that he was going to nominate somebody—he didn't know just whom—to run against McCormack. Shortly before the balloting caucus was held, he and fifteen colleagues sent out a telegram inviting others to attend a strategy breakfast. About forty accepted. Udall, because he was invited and because he was soliciting support, showed up, although he was leery of getting too close to the Adams group. It may have been a mistake for him to go, but it was a mistake he was

Pat Fink

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almost forced to make. His opponents used it to warn the Southerners, especially, that "here come those liberals again," and the result was that Udall got a dozen fewer votes than he had been promised.

Other forces were working against him. Udall had voted for the right to work law and McCormack has a spotless pro-labor voting record; so George Meany, president of the AFL, passed the word along to the Congressmen from the labor states that Udall was taboo. Another Udall miscalculation was his determination to try for a secret ballot. He thought that some who had promised McCormack their support when he solicited it last fall would, if they could switch secretly, be happy to vote for Udall now. It worked just the other way; Representatives, some who have a good liberal voting record are procedural conservatives, and although they would have been ashamed to stand up and vote for creaky old McCormack, they were content to do so in private. And although Udall is an extremely likable fellow, some liberals don't think he fits in with their crowd. One of these, a Californian, said later: "I looked at Udall and I remembered that he had voted for right to work and had led the fight to decapitate Powell, and I remembered that we don't vote alike on public power, and I said to myself, 'This guy ain't all that good anyway.' Udall is a marginal district guy, and they make bad Speakers. McCormack's district permits him to do whatever he wants to do."

The traditionalists made their share of mistakes in this engagement, too, and these may be costly in the long run. For one thing, McCormack's pals used pity as a weapon, urging members to cast their votes for the gangly old Bostonian because "John just wants one more time as Speaker and then he's going to retire." As soon as the voting was over, McCormack—who must have heard what his friends were saying, but who had made no effort up to that point to correct them—announced that he had no intention of retiring after this term. Many who voted for him out of sentiment, it is said, now feel like suckers and are just waiting for an opportunity to get even.

They also made the mistake of running over the insurgents in too brazen a fashion. Tom Rees of California, for example, came to the caucus with an innocuous and constructive amendment to the rules which would have required that any amendment of more than twenty-five words made on the floor of the House must be printed and distributed to the members before voting. Rules Chairman Colmer of Mississippi, running the caucus, refused to give Rees the floor. Colmer, not knowing what Rees was going to bring up, was afraid it might be something that would embarrass the leadership. Rees, needless to say, is still furious, and so are a number of his buddies. They are plotting trouble for the leadership in the weeks ahead. Don Edwards of California said: "All evidence is that the conservative coalition is hardening and the McCormack-Boggs-Albert arrangement with the Southern Democrats is pumping along better than ever. Two years ago, I was allowed to offer an amendment in caucus, but this year they wouldn't allow it unless we made prearrangement with the Establishment."

Just what are the insurgents unhappy about? Their discontent really has less to do with ideology than with procedure. They feel that they have no chance to be heard, to get consideration for their bills, to give their opinion on such critical items as the appropriations bills. They feel left out.

Adams puts it like this:

> The system, because of the way it's working—the procedures and the people who make them work—are becoming more and more removed from the controversies and the pain spots of America. Under the seniority system, the people who arrive at power are from the uncontested areas, from the South and from the one-layer big-city districts.
>
> When Congress continues on with business as usual, the newer people are unable to bring in a feeling for the issues that are really troubling the people back home. Each session Congress repeats what it did in the previous session. Appropriations discussions will be between McCormack, Mahon (chairman of the Appropriations Committee), and maybe Bow (ranking Republican on the committee). They don't discuss it with us. When it comes on the floor, only Appropriations Committee members talk, and they talk in order of seniority. No one else is supposed to know anything. Debates are *pro forma*.
>
> To my knowledge, the appropriations bill hasn't in eighteen or twenty years been ready when it was due. It goes on being discussed to September or October—long after the fiscal year has begun. Agencies don't know what they'll get to work with. Bills for agriculture, defense and housekeeping are passed first. Anti-poverty bills are passed last and therefore they are starved to death or allowed to dangle.
>
> Either we should change the fiscal year, or we should work five days a week to finish the appropriations legislation by June 30.
>
> This is all controlled by the leadership—the Speaker and the chairmen of fourteen committees, nine of whom are from the South and the rest from safe constituencies. The only way I know to break it down is to tell the public about it and hope public pressure will change things.

The insurgents are also unhappy with the House Democratic Campaign Committee, dominated by 81-year-old Mike Kirwan of Ohio, whose idea of how to win a campaign is to build a canal in the disputed district. The Democratic Campaign Committee has about one-tenth the money that is available to its Republican counterpart, and that makes disgruntled Democrats feel their side isn't trying. Kirwan's defenders, on the other hand, say that Lyndon Johnson has creamed off much of the funds that would normally have gone to the committee.

In an effort to appease the unhappy minority, McCormack has agreed to make some procedural changes. The most important of these is his promise to hold a Democratic caucus once a month (he has held only three caucuses in the past two years). But holding them is one thing, and permitting open debate is another. Heretofore he has discouraged the use of these meetings as family get-togethers, where Democrats would be allowed to fuss and stew and work things out. That freedom to grouse and propose would be the most beneficial thing that could happen to the House Democrats, but it is unlikely that McCormack, at his age, will develop enough flexibility to welcome debate.

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Mobsters in Pasture: Nostra Jersey

FRED J. COOK

Mr. Cook, one of whose books, The Secret Rulers, *deals with Mafia activities in New Jersey, has been a lifelong resident of the state. He began his distinguished career as a crime-and-police reporter on the Asbury Park* Press.

New Jersey—an accident of nature and an accident of man—is undergoing one of its periodic and accidental crises. It is wracked by the inopportune rediscovery of ancient fact (whisper this: the state is the playground of the Mafia), and its legislators are playing out a high farce entitled, "Who, Me?" When it comes to farce there are no better actors in the world than the members of the New Jersey legislature, but then they have played the script so many times. The drama always begins the same way: Some earnest prosecutor, shocked by his discoveries, incautiously opens his mouth to assert that the state is infested by underworld vermin; he then asks the inevitable question, "How come?" Instantly, he finds himself transformed from prosecutor to defendant as those practiced legislative Thespians strut the boards and shout at him, "Who, *me*?"

The current comedy, which is convulsing an audience from the Delaware to the Hudson, began when Assistant State Attorney General William J. Brennan 3d (Supreme Court Justice Brennan's son) made an innocent little speech before a journalism society in early December. Afterward, some perspicacious soul asked him a question about official involvements with members of the Mafia, and Brennan, in an unguarded moment, rendered the off-the-cuff opinion that some legislators were "entirely too comfortable with members of organized crime." The indignation of the pure of heart, a fraternity that embraces each and every member of the New Jersey legislature, promptly filled the press with its clamor.

To appreciate the comedy in this breast beating, one must have a picture of New Jersey's past, recent and remote. When the great glaciers receded, they left behind two gouged-out river beds, the Hudson and the Delaware; in between was that jigsaw-shaped buffer that became known as New Jersey. The state has sometimes been described derisively as a cow pasture lying between New York and Philadelphia; and though the term is perhaps unjust—no cow pasture ever stank like the refineries and chemical plants of North Jersey, or was ever worth a fraction as much—there is about the description a nubbin of truth.

New Jersey from earliest colonial times has been the pawn of its great neighbors. Of all the thirteen original colonies, it was the most accidental. No hardy settlers from Europe set out envisioning "the Garden State" as their earthly paradise. The Swedes braved the ocean to settle Delaware; the Dutch, to buy Manhattan from the Indians. Then, gradually, both spilled over into the emptiness that was New Jersey—the Swedes in the south, the Dutch in the north. They were followed by Englishmen desirous of escaping the Puritan fanaticism of New England.

Uncharitable souls have suggested that New Jersey has no business existing as a state at all; that Pennsylvania and New York ought to carve it up and have done with it. Indeed, in colonial times, that was very nearly the situation. The Royal governor of New York was also the governor of New Jersey, which existed only as a sort of appendage to its big neighbor. This second-class status led some governors to consider New Jersey and everything in it fair game, and the looting was prodigious. When, in addition to patent official thievery, one Royal governor took to dressing himself up in female attire and parading upon the bastions of his New York fort, berouged and skittish, the humiliation became too much for the unruly, obstreperous colonists in New Jersey. They composed a scorching document of protest and finally got a governor of their own and their separate identity.

It is an identity that has been often compromised by the state's sandwich status between those two magnets of commerce, New York and Philadelphia. In the Prohibition era, this accident of geography led inevitably to the state's involvement in the major operations of gangland. The colossal, extralegal thirst of Manhattan and the City of Brotherly Love (not to mention the home-grown desires of Newark and Elizabeth and the state capital, Trenton) was a bottomless well—and New Jersey was the pump that did its best to fill it. The state's far-stretching bays, fed by innumerable creeks and rivers winding deep into the isolation of pine forests, made it an ideal haven for the rum-runner and bootlegger.

No one will ever know how many gallons of Scotch and gin flowed in over the lonely beaches or were unloaded into waiting trucks at rickety docks up some of the winding streams. But all the folklore of the times, plus all the evidence of easy inebriation, says that the total must have been huge, with official corruption to match.

After all, it was hard to keep the illicit traffic secret when the liquor trucks went rumbling right up "main street" in the small morning hours. A legend of the times relates how one county sheriff, usually soused to his official ears, rode shotgun on the bootleg trucks as they clattered almost past the columns of the courthouse. All of this, of course, was scuttlebutt—and remained scuttlebutt—for one good reason: no one looked; no one wanted to look. The monkeys who see, speak and hear no evil had nothing on the politicians of New Jersey.

There came that sad, unfortunate time, however, when even New Jersey officials couldn't remain absolutely blind and deaf. New York City, as it will once a generation, had decided to reform itself and had elected Fiorello H. LaGuardia as its mayor. That fiery little man set out to clean things up; he even took ax in hand and, defying a court order, personally demolished the slot machines of Frank Costello, a display of insolence that shocked the underworld. Then he announced on radio in his shrill voice that he was chasing all the "tinhorns" out of New York and "over the bridge" into Jersey.

LaGuardia made only one mistake. Those he chased

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weren't "tinhorns," but multimillion-dollar barons of underworld gambling fiefs—the new emperors of the underworld, harvesting a take even richer than that of Prohibition. Willie Moretti pioneered the New Jersey cow pasture for the mob, and he found the pickings so delightful and the climate so healthy that the rest of the troop came tumbling after. Frank Costello's right bower, Joe Adonis, set up shop, backed by his *eminence grise*, Albert Anastasia. For the entire decade of the 1940s, the mob under this leadership ran wide open in New Jersey, as though it owned the Statehouse and everyone in it.

Joe Adonis established some of the plushiest gambling casinos seen this side of Las Vegas and the Bahamas; even in wartime, with gas rationing in effect, fleets of Cadillacs made the nightly trip from New York across the George Washington Bridge to bring their cargoes of well-heeled sheep to the shearing. The operation was so vast, its business details so intricate, that Adonis set up a capitol of crime in the closely guarded back room of a tavern known as Duke's almost opposite the entrance to Palisades Amusement Park. There he held daily council with his board of directors, and one day each week was set aside for Apalachin-type conferences with the top powers of gangdom. The Federal Bureau of Narcotics, District Attorney Frank Hogan's office in New York, the New York Police Department's Bureau of Criminal Identification—all kept a check on the crime capitol in Duke's, but to this day there isn't any evidence that officialdom in New Jersey was aware that Duke's even existed.

Other kinds of awareness, however, were sometimes forced upon it. Occasionally, some busybody of a New York reporter would stick his long nose into the bubbling New Jersey pot, and then a Manhattan paper would come out with a nasty story about the Bergen County racket haven. When this happened, official wattles would turn turkey-red and there would be a counter-headline flap about a no-holds-barred investigation to re-establish the purity of the Garden State. When matters thus threatened to get out of hand, a prosecutor would be named to bust the rackets. The poor fellow who took the job, all sincere and trusting, had no notion that he had just been hired by Robespierre and that the tumbrel was waiting.

One dramatic decapitation that has always seemed to tell all one needed to know about New Jersey occurred in the late 1940s. John J. Winberry, a former Treasury agent, had been given one of these "cleanup" assignments, and it wasn't long before he began running into sand banks of quiet sabotage. Once, when he wanted to raid some bookie spots in Perth Amboy, he telephoned the Governor's office for help. The Governor notified the Attorney General; state police were assigned to make the raids—and within one hour and twenty minutes after Winberry had initiated action at the very highest levels of the state, the mob back in Perth Amboy got a tip-off and quietly closed up shop for the day.

With this kind of "help," Winberry's investigation dragged along without producing the kind of sensation that a special investigator needs if he is to justify his hire. If he can't make the headlines, a rackets buster is fair game for those who don't want the rackets busted. This was pointed out to Winberry one day in early November, 1948, when he was in District Attorney Hogan's office, exchanging information with Hogan's aides. Winberry agreed that he would have to produce a big case soon, and he decided upon a bluff.

Searching through mounds of tax records, he had uncovered the names of some underlings who worked in gambling establishments run by the mob in Middlesex County. Everybody suspected that Joe Adonis was the brains of the operation, but there was no proof. Winberry decided to gamble and see what he could shake out of a couple of the small fry who lived in Brooklyn.

Taking along a New Jersey state police sergeant and a New York detective, Winberry began to pound on doors. There had been an especially gory gangland murder in New Jersey not long before, and Winberry, by holding the specter of a murder rap over the heads of the Brooklyn underlings, finally broke them down and made them talk. And so he got the vital, clinching evidence he needed: two witnesses, men who had worked in the gambling halls, identified Joe Adonis as their boss, as the man who hired and paid them and directed the gambling operations.

Winberry scored his great coup on the afternoon of November 12, 1948, and the morning of November 13, a Saturday. On Monday, Winberry was fired.

Three years later, history repeated. This time New Jersey's innocence was upset by that champion disturber of the racket peace, Estes Kefauver. The late Senator from Tennessee was bearing down hard on the mob at the time; he had been given Winberry's detailed information on the New Jersey rackets; and he was threatening to come into the state and hold the kind of hearings that would make the roof of the Statehouse shudder. To ward this off, Nelson F. Stamler was appointed a special prosecutor and rushed into Bergen County to clean up the mess.

Stamler did everything that was expected of him—and more. He rounded up Adonis and several other gang lords, and the boys in the Statehouse would probably have been singing Christmas carols if he had stopped right there. But Stamler got carried away. Bergen County, as he later confessed, was an education to him; he had had no idea before he went there that crime and corruption could be so criminal and so corrupting. Possessed of an irrational desire to get to the bottom of things, he began to indict police chiefs and municipal officials all over Bergen County; he wrote a magazine article in which he suggested that the slaying of mobster Willie Moretti hadn't been gangland's private idea but had been motivated by the need to protect political interests from the loose wagging of Moretti's tongue.

One needs no crystal ball to know what happened next. Stamler was fired, and all investigation of official collusion with the mob went to the incinerator. Even the local small fry whom Stamler had indicted flitted away like minnows escaping through a gaping hole in the net. Nobody got hurted, as the mob would say.

Such are the New Jersey traditions that bring us down to the present—and Brennan. The year 1968 was rough all around, and not just for Mayor Daley and the Chicago police. First, as far as New Jersey was concerned,

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there was *Life* magazine. In its issue of August 6, it published what purported to be the transcript of telephone conversations between Rep. Cornelius E. Gallagher, a Hudson County Democrat, and Joseph (Joe Bayonne) Zicarelli, reputedly the Mafia boss of the city that has given him his nickname. Congressman Gallagher, *Life* charged, was the "tool and collaborator of a Cosa Nostra gang lord." The Congressman denied it, denounced *Life*, went off to the Democratic convention in Chicago, and got himself renominated and re-elected by the faithful in Hudson County.

The Gallagher unpleasantness was still fresh in memory when along came Prof. Henry S. Ruth, once a special attorney for the Justice Department's Organized Crime section and later deputy staff director of the President's

Commission on Law Enforcement and the Administration of Justice—certainly a man in a position to know what he was talking about. Testifying at a legislative hearing in September, Professor Ruth declared that "official corruption in New Jersey was so bad that organized crime could get almost anything it desired." Another expert witness assured incredulous New Jersey officials that Professor Ruth had spoken nothing but the truth. It was enough to ruffle the feathers of any politician, and a state investigation was ordered. Enter Brennan.

Everyone who knows him agrees that Brennan is a thoroughly decent human being, with a high sense of honor and morality. That, perhaps, has been his trouble. He joined the staff of Atty. Gen. Arthur J. Sills a year ago, having had no previous experience in trying criminal cases; but Sills had such high regard for him that, after the Gallagher-Ruth episodes, he gave young Brennan charge of a Mercer County grand jury empowered to look into official corruption. In this capacity Brennan had access to state police files and to a number of federal investigative dossiers, and it is apparent that this reading matter shocked him. The result was that, in one unguarded moment, he committed himself to the "too comfortable with organized crime" yardstick for measuring official conduct.

That one phrase tripped all the political sirens in New Jersey. An indignant legislature denounced Brennan for having cast an aspersion on every member of its august body; it demanded that he name names, submit proof. Brennan said he had what he considered significant information on only three members of the legislature; later, he said there were some indications that three others might be "too comfortable" with you-know-whom. In the midst of the furor, as so often happens any time one lifts the lid on New Jersey, other voices contributed other charges.

Ronald Sullivan, New Jersey reporter for *The New York Times*, wrote almost offhandedly that, according to his informants, horse races were being booked and numbers peddled right in the office of the Hudson County prosecutor, T. James Tumulty, who sent Sullivan an invitation to appear before the Hudson County grand jury and reveal all—especially his sources of information. Sullivan respectfully declined the invitation to play detective for the prosecutor.

Still more unsettling, to the legislature at least, was the contribution of Mrs. Claire Curran Johnson, a former reporter for the now defunct *New York Mirror* and now an aide to Sen. Joseph C. Woodcock Jr., a Bergen County Republican and chairman of the Senate Committee on Law and Public Safety. Mrs. Johnson recalled that she had once telephoned Senator Woodcock's counterpart in the Assembly, C. Richard Fiore, of Newark, to request his cooperation on law and public safety matters.

Fiore, according to Mrs. Johnson, had said that he wanted to "talk to Woodcock about that." He went on to say, Mrs. Johnson reported, that he had obtained his position as chairman of the Assembly Law and Public Safety Committee to "stop these kind of things."

"There's a lot of pressure. You just don't know how much pressure. Jerry is unhappy about it," Mrs. Johnson quoted Fiore.

As a former reporter, Mrs. Johnson had a pretty good idea who "Jerry" might be, and she asked Fiore if he meant Jerry Catena. Again she quoted him: "Yes, Jerry Catena. I've got to stop these kind of things. I've got to stop these kind of things."

Gerardo (Jerry) Catena may not be well known to large segments of the public; he has never attracted the kind of publicity that attached itself to Al Capone or Frank Costello or the late Abner (Longy) Zwillman. But in the underworld he's a real power. As long ago as the 1940s, he was one of the eminents spotted in frequent attendance at Joe Adonis' crime councils at Duke's; his relatives were tied by documented records to the Middlesex gambling games that John Winberry investigated; and ever since the greatest power broker of the Eastern Mafia, Vito Genovese, has been secluded in federal prison on a nar-

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cotics conviction. Jerry Catena has acted as his deputy, ruler of the Jersey wing of Genovese's redoubtable "family." Against this background, Mrs. Johnson's revelation of her telephone chat with Assemblyman Fiore raised a gale. It became obvious to everyone that something would simply have to be done.

After much backing and filling and sparring over procedural matters, a special legislative committee headed by Sen. Alfred R. Beadleston, a Monmouth County Republican, was appointed to hear Brennan's charges. From the outset there wasn't much question who the defendant would be. Brennan was elected for this role by the virtually unanimous sotto voce vote of the New Jersey legislature. Even before the hearings opened on December 30, a number of legislators were denouncing the young prosecutor as the most irresponsible of men, and at least one assemblyman was suggesting that the Supreme Court should discipline him.

When the hearings began, the impartiality with which a legislature investigates itself went on display. The Beadleston committee's chosen counsel, Sidney P. McCord, Jr., described somewhat irrelevantly as an expert on constitutional law, showed by his questioning that he considered Brennan a rascal whose every statement must be examined with the utmost suspicion, but that, on the other hand, a legislator is a dignitary to be treated with all the deference due his title.

Brennan confirmed previous leaks in the newspapers that his three primary "too comfortable" targets were Sen. Sido L. Ridolfi, a Democrat of Mercer County and a power in the upper House; and Assemblyman John Selecky, Republican, of Mercer; and David J. Friedland, Democrat, of Hudson. All three are lawyers.

Senator Ridolfi's entanglement resulted from his having served as the attorney for John Simone in two house purchases and in the incorporation of Simone's Atlas Sanitation Service, Inc. Simone was identified in police files, Brennan said, as a captain in the Mafia family of Angelo Bruno, the reputed mob boss of Philadelphia and, according to federal informants, a member of the national commission of the syndicate. Bruno's underworld army carves up many of the lush rackets of South Jersey, and Brennan seemed to think it significant that two of Simone's associates in Atlas Sanitation were mobsters with ties to Bruno, and that a third was a bookmaker with a record of recent arrest. Senator Ridolfi told the committee he had had no knowledge of Simone's racket ties. "These were three regular, normal business transactions that any lawyer would have undertaken," he said.

Brennan's charges against Assemblyman Friedland involved a murkier bit of business. One John DiGilio was identified by Brennan as an associate and "enforcer" for Bayonne Joe Zicarelli and Harold (Kayo) Konigsberg in the loan shark racket. DiGilio had been arrested by state police on the charge of "threatening death or injury for the purpose of extortion or malicious mischief"—in plainer language, for telling a loan-shark victim to pay up, or else. While the case was pending before the Hudson County grand jury, DiGilio acquired Assemblyman Friedland for his attorney—and Friedland somehow "settled" the case: the complaining witness stopped complaining, the grand jury voted "no bill," and DiGilio was exonerated. Brennan said it appeared to him that Assemblyman Friedland had been a "go-between" in fixing the case.

Friedland was the most indignant of the committee's witnesses. He angrily repudiated the "go-between" imputation. He had had nothing to do with the criminal case, he asserted; he had merely represented DiGilio in a "civil matter." He acknowledged that he had understood a "usurious" loan was involved, but apparently he never connected usury with the underworld. DiGilio had been recommended to him through a labor union; he didn't believe then, doesn't yet, that DiGilio was a criminal or had any record; and he had merely talked to "the other lawyer" in the case to achieve "a settlement," never to the accusers of DiGilio. It had been a case of pure legal professionalism, and Sidney McCord, a pure legal professional himself, evidently saw it as such, for he expressed no curiosity about what might have been in Assemblyman Friedland's mind when he somehow became acquainted with that nasty word "usury."

McCord and the committee, no member of which uttered a question throughout, had to stretch the incuriosity of the human mind to almost superhuman limits when they came to the case of Assemblyman Selecky. In introducing this item on the agenda, Brennan had testified that the Newark *Star-Ledger* and the Trenton *Times*, both of which circulate in Selecky's East Windsor Township near Hightstown, had carried the following news item last April: A state trooper on patrol in a wooded area of Millstone Township had come upon a man standing beside a most suggestive excavation. It was a hole 6½ feet long, 2½ feet wide and 3½ feet deep—dimensions that would be instantly recognized by any gravedigger. The man who was standing by this opening had dirt on his hands and clothes, and dirt was caked on a shovel and pickax the trooper found in the trunk of his car. But when the trooper asked the other what he had been doing, he replied: "Thinking and meditating."

The author of this instantaneous bon mot turned out to be Salvatore Profaci, Jr., a nephew of the late Joseph Profaci, ruler of a Brooklyn Mafia family that has long been among the most dreaded of the five families of New York. Parenthetically, it should be noted that the Profaci name is not entirely unknown in this section of New Jersey. As Brennan pointed out, it was on a chicken farm near Roosevelt, only about 20 miles from the site of Salvatore Profaci's digging, that FBI agents last year uncovered several corpses in an old Profaci burial ground.

Salvatore Profaci was later arrested on a motor vehicle charge and for using loud and abusive language to a state trooper. When his case came up last September 19, Assemblyman Selecky appeared in court for him as a character witness. There also, for the same purpose, was the police chief of Selecky's home town. Sidney McCord, in questioning Brennan, tried to show that Assemblyman Selecky might very well not have read the papers closely on gravedigging day. Brennan acknowledged that the prosecution in the traffic case hadn't made any mention of the incident; acknowledged that he thought it would have been brought out if the prosecutor had known about it. Ha,

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McCord proposed in triumph, if even the prosecutor didn't know, what right have you to assume that Selecky must have known?

The implications in this comforting assumption endured only until Selecky got on the witness stand. Yes, the Assemblyman said, he had read about the gravedigging incident. He had "looked at the article in disbelief." He said he knew Profaci as the part owner of a bar in Hightstown; that he had represented Profaci in three different real estate transactions; and that he had the highest regard for him "as a good citizen in the community where he resides." As for the gravedigging incident, "When I saw him afterwards, as gentlemen will, I joked about it and he told me in essence what it was about."

Probably no more titillating aside was ever dropped into the middle of a crime hearing. Assemblyman Selecky's reference seemed to open the gates to a host of questions. Just what does one gentlemen say, in jest, to another who has been found digging a lonely grave? Wouldn't such an incident raise some doubts in the mind of one gentleman about the sterling character of another? And just what was "the essence" of it? Though one could almost hear the jaws drop in the press gallery as Assemblyman Selecky testified, Sidney McCord and the members of the committee were inattentive at this point and McCord, with no interruption from anyone, passed quickly to other matters.

When his turn came, Assemblyman Fiore testified that he couldn't "recall" ever talking to Mrs. Johnson and implied she'd made the whole thing up. As for Jerry Catena, Fiore put it this way: "I never met Jerry Catena and I wouldn't know him if I fell over him." Subsequently, a telephone call slip was introduced into evidence showing that a thirteen-minute call had been made from Mrs. Johnson's home to Fiore's number on the day she said she had talked to him. Fiore couldn't explain it.

The names of the three lesser "too comfortable" legislators were eventually leaked to the press. They are veteran Sen. Frank S. (Hap) Farley, of Atlantic City, a long-time Republican power in the upper House; and Assemblymen John J. Horn (D., Camden) and Lee B. Laskin (R., Camden). All three indignantly denied any indiscreet associations, and Sidney McCord denounced Brennan's material on them as even "flimsier" than that against the first named legislators.

The investigation still goes on, but William Brennan at his own request, so it's said, has been removed from further contact with criminal investigations and will devote himself to more mundane matters in the Attorney General's office. A federal task force has come into Newark to probe New Jersey crime, and Attorney General Sills has named a new crime-fighting team.

All this makes headlines, but the principal loser so far seems to be Brennan, the crime fighter. He has taken a pounding. The tone was set by McCord and the legislators after that first public hearing. "Flimsy," they shouted about Brennan's charges. "Flimsy," read the headlines, echoing them. It became the editorial fashion to beat Brennan over the head because he had opened his mouth—and then failed to "make" a case against anybody. Even so distinguished a journal as *The New York Times* lashed out at Brennan and seemed to miss the real point of the issue he had raised.

Brennan had never contended that he could prove legislators guilty of any crime. He had merely suggested that being "too comfortable" with organized crime is unethical in a public official. Anyone familiar with the long history of official ducking of the crime issue in New Jersey, anyone who realizes that the state, despite repeated exposures, still harbors some of the most notorious thugs in the East, must be forced to suspect that some powerful influence is operating somewhere. It can hardly be by chance that in New Jersey it is the rackets buster who is busted—not the rackets boss. This situation has repeated itself again and again, and if the legislature of New Jersey cannot

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recognize the implications in that repetition, it is so much the worse for the people of New Jersey.

What William Brennan has suggested is a higher standard. It is not enough for a public official to be able to prove that he did not have *his* hand in the cookie jar; he has no business representing or associating with someone so discovered. In some cases, it is true, legislators may honestly not know, but they cannot *always* not know. And because they are officials, because they have a public trust; because they certainly have sources of information not available to the citizens at large, it is their business to know. If they neglect this business, there should be no place for them in public life.

Until that kind of tough high standard is adopted, it is safe to say that the mob will continue to get almost anything it wants in New Jersey.

WEST COAST PARTIES

CALIFORNIA WEATHER BREEDER

MICHAEL HARRIS
Mr. Harris is on the staff of the San Francisco Chronicle.

San Francisco

Jess Unruh, when he served as Speaker of the California Assembly, was recognized as the most powerful Democrat in California. He earned the cautious and not altogether friendly respect due a leader who channeled campaign funds to his fellow Democrats, gave favors to obedient Republicans, and won a measure of national prominence from the unlikely base of a seat in a state legislature. Now that the Republicans have regained control, he is often described in flattering terms that, however gratifying, may portend a lack of power. At 46, Unruh seems to be regarded by an increasing number of his associates as an elder statesman like Alf Landon or former Gov. Edmund G. Brown. In short, the belief grows that Unruh's career may be rapidly closing and that California is about to offer a new slate of Democratic leaders to the nation.

The extent of the defeat suffered by the California Democrats last November is not apparent from reading the election returns. The Democrats found comfort in the capture of a United States Senate seat and in retaining the party's 21-to-17 edge in the California delegation to the House of Representatives. And though the Republicans now have control of the state legislature for the first time in a decade, the margin is as thin as mathematically possible—an Assembly of forty-one Republicans and thirty-nine Democrats, and a Senate of twenty Republicans and nineteen Democrats, with one seat to be filled in a special election which the Democrats are expected to win. (A Republican lieutenant governor will cast tie-breaking votes.) But it took an astonishing combination of luck and gerrymandering by the Democratic legislatures of the 1960s to produce those results.

The voters' sentiments can be understood better by looking at the vote totals. Unofficial though complete returns show that the Republican candidates for Congress in California amassed a total of 3,741,454 votes to win seventeen seats. The Democratic candidates gathered only 3,036,062 to get their twenty-one. The story was the same in the legislature, where the Republican dominance would have come earlier and far more solidly if there had been proportional representation.

Nor can the new U.S. Senate seat be classed as a triumph. It wasn't won by the Democrats; it was abandoned by the Republicans. Thomas H. Kuchel, more popular with Democrats and independents than with his own party, lost in the June primary when militant Republicans decided to be true to the spirit of Orange County and back Max Rafferty, ever eloquent in his warnings about communism, pornography, lawlessness, sex and exuberant beards. The returns showed the militants were right about their part of the state: Rafferty carried Southern California, which has more than 60 per cent of the state's population, by a narrow margin, but lost the state because his ideas proved too primitive for the San Francisco region, where Shirley Temple Black, a candidate with a similar appeal, had been defeated in her campaign for Congress a year earlier. All nine counties bordering San Francisco Bay voted against Rafferty, and among them they provided Democrat Alan Cranston with his victory margin. If they had run a more presentable candidate, the Republicans would have won the Senate race easily.

For the third election in a row Republicans could point to gains in the state legislature as a result of their Cal-Plan—a carefully devised program to regain control of the state's political machinery by concentrating on districts where the Democratic incumbents were vulnerable. The strategy was well financed, and last year was expanded to include special help in the few districts where Republican Assemblymen were in danger. But 1968 was a preliminary skirmish for the 1970 election. The state legislature elected then will draw new district lines for its own two Houses and for the forty-odd Congressional seats California will have as a result of passing New York in population. Development of the areas dominated by what Southern Californians like to call "conservatism" will mean a substantial increase in representation for the new suburbs that have replaced the orange groves between Los Angeles and San Diego. This is the fastest growing area of the United States, and it has regularly re-elected Congressman James B. Utt, sponsor of the Liberty Amendment to wipe out the income tax; Assemblyman E. Richard Barnes, who opposes the teaching of evolution in the public schools, and state Senator John G. Schmitz, who laughingly said he publicly acknowledged his membership

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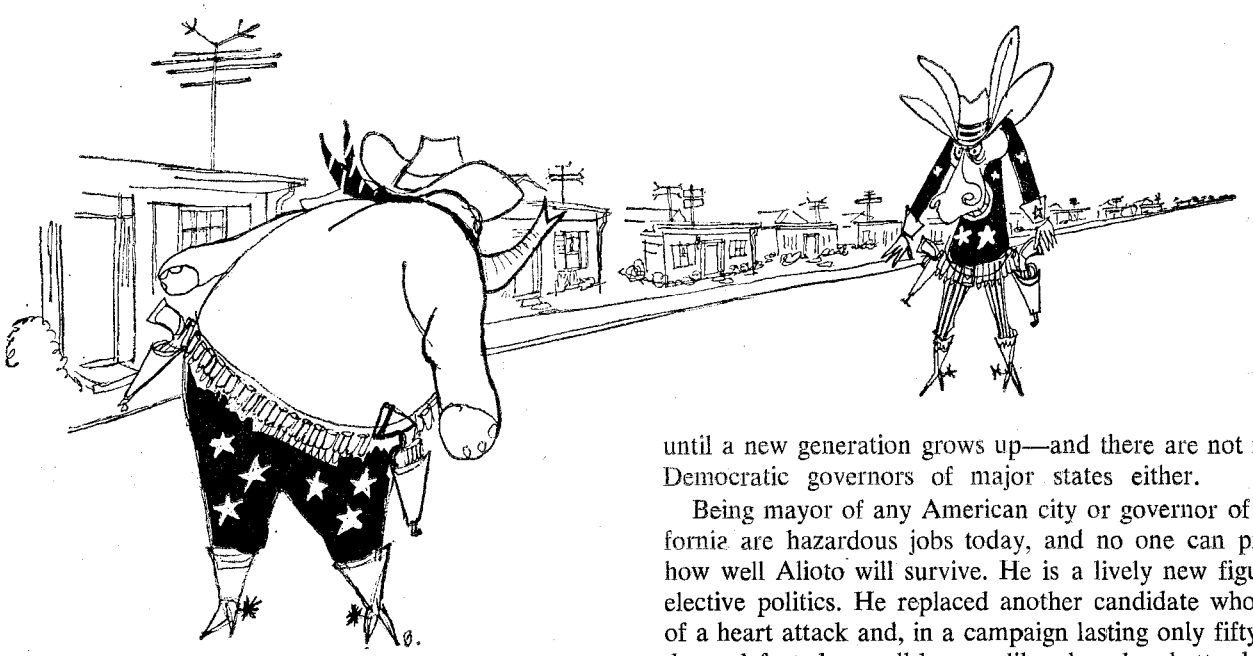

in the John Birch Society "because I had to do something to get the liberal vote in Orange County."

The mood in California's southern counties is often described as a distillation of the drift to the right throughout the country. Gov. Ronald Reagan has demonstrated how the blue-collar voter can be won over to the GOP by a tactful appeal to his feelings of insecurity. In recent years voters in the modest suburbs have been the ones who have most enthusiastically rejected new schools for their own children, turned down bond issues for parks, and shown the greatest skepticism about proposals for social and economic reforms. This has not been a matter simply of regionalism. Both the wealthiest and poorest neighborhoods of San Francisco overwhelmingly endorsed a bond issue last November for playgrounds in the ghetto area of Hunters Point, but opposition from lower-middle-class districts caused the measure to fall slightly short of the two-thirds affirmative vote required for passage.

But moods change, and Mayor Joseph L. Alioto of San Francisco, who hopes to be elected governor in 1970 and President in 1972, thinks he can take over the delicate middle ground that served as the political foundation for Republicans Hiram Johnson and Earl Warren and for Democrat Brown. The battleground on California campuses may be between the Left and the rest of society, but in elective politics the contest is between the Right and the middle.

The Presidency seems a distant and scarcely realistic goal for a man who has been Mayor of his home town for only a year. However, the dynamic Alioto will be able to boast of being one of the four or five most electable Democrats in the country if he can accomplish the extremely difficult task of winning the governorship—a challenge the literary Mayor might compare with the dreadful quests imposed on knights in the days of chivalry, quests which, completed successfully, brought all kinds of rewards. There are not at present many heroes to enter in the jousts of Camelot—Sen. Edward M. Kennedy may be the last until a new generation grows up—and there are not many Democratic governors of major states either.

Being mayor of any American city or governor of California are hazardous jobs today, and no one can predict how well Alioto will survive. He is a lively new figure in elective politics. He replaced another candidate who died of a heart attack and, in a campaign lasting only fifty-nine days, defeated a well-known liberal and a better-known conservative. He is a millionaire lawyer, the son of a Sicilian fisherman from San Francisco's North Beach. Alioto went through law school on a scholarship at Catholic University in Washington, D.C., and joined the New Deal as an antitrust lawyer in the closing days of the depression. Unlike many of his trust-busting colleagues, Alioto did not switch sides and begin defending corporations when he went into private practice. He chose the riskier, but as it developed, far more prosperous role of representing clients who sued major companies for price fixing, restraint of trade and other monopolistic abuses. Alioto's most celebrated success was a $1.9 million settlement he won in 1966 for Sam Goldwyn after fifteen years of litigation against Twentieth Century Fox and a regional theatre chain; many of his other big cases have gone almost unnoticed. Few people in the country have ever heard of a chlorine trust, for example, but Alioto has won a series of cases against chemical companies. The agreement in the New York portion of the cases alone called for recoveries of about $7 million for the city and its schools.

Alioto took office last year in a festive mood, and San Francisco was excited by what it saw. The man seemed to catch the spirit of the city as fully as the sullen Mayor Samuel W. Yorty of Los Angeles typified his community. Alioto enjoyed city life. He had gone to the opera twice a week every season for years, he flew to Paris or Rome when he could get a brief vacation, and he was a director of the Spoleto Festival in Italy. He decided to brighten up his entry into office by holding a six-hour series of receptions—a big musical program at the Opera House, the traditional receiving line in the domed City Hall, and two neighborhood receptions in black and Mexican-American neighborhoods that had contributed heavily to his victory. When he appeared before the Latin audience, he borrowed a fiddle from one of the musicians and joined the mariachis in a chorus of *La Paloma.*

The Mayor makes, thus, a lively but rather old-fashioned political appeal. Not everyone is enchanted. He has not proved to be a man who can stir students as

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Eugene McCarthy did, and he cannot capture the idealistic magic that marked Adlai Stevenson's 1952 campaign. Alioto supports social reform but his critics accuse him of settling for tokenism. He is tolerant of individualism among the young, including his own children, but he has dismayed some of his strongest liberal supporters by backing up the Police Department's controversial tactical squad when its husky, combat-equipped young officers have moved violently against demonstrators. He has tried to pursue a middle course by bringing in mediators between the adamant protesters at San Francisco State College and the equally adamant Governor Reagan. Perhaps his most interesting quality is one that few politicians possess. Like Franklin D. Roosevelt, Alioto seems to be able to keep his supporters from defecting even when he is doing things they don't like.

The Mayor's Presidential ambitions were enhanced when he met last year with top governmental and political officials in Washington and Chicago. Alioto found that it was he who was dominating meetings with men of much larger reputation. When the Democratic Mayors held joint press conferences at the Conrad Hilton Hotel during the Democratic National Convention, Alioto was surrounded by reporters after the sessions broke up, while mayors of larger cities walked off the platform alone.

Alioto displayed some interesting strengths and weaknesses at Chicago. Toward the close of the convention he looked out the window of his 25th-floor suite at the Hilton and said: "Look at those troops and all that barbed wire. Who the hell needs barbed wire? Think how it must look to those kids there. I think I'll go down and talk to them."

Followed by several nervous aides, the Mayor went past a line of rifle-bearing National Guardsmen and joined a group of Yippies and other protesters listening to speakers denouncing the Democrats' choice of Hubert Humphrey, whom Alioto had nominated the night before. The Mayor was recognized by some visitors from San Francisco's Haight-Ashbury district.

"Shake hands with a neo-Fascist," Marvin Garson, columnist of the underground San Francisco *Express-Times*, said sardonically. Alioto had provoked the New Left a few months earlier when he applied that term to demonstrators who threw bricks and bags of animal blood at Secretary of State Dean Rusk during a San Francisco visit. The Mayor shook hands with Garson and his friends, listened quietly for a while and then said, "Get behind Humphrey. You have no real objection to Humphrey."

The listeners groaned. Alioto had shown his personal courage by walking among the angry demonstrators, but it was not the first time that he had seemed unable to grasp what those who disagreed with him were talking about.

Chicago marked a climax for Unruh, the man still regarded as Alioto's chief rival for the Democratic nomination for governor. He had come to the convention as the leader of a delegation committed to the late Sen. Robert F. Kennedy. He led a move for Edward Kennedy, gained informal commitments from 900 or more of the delegates and then, after losing with dignity, returned to California. He commanded a strong precinct organization in Los Angeles and had good areas of strength elsewhere, but Unruh ignored the Presidential race until almost all the McCarthy forces were ready to switch over to Humphrey—and by then it was too late.

A Humphrey victory in California on November 5 would have thrown the race into the House of Representatives. Instead, Unruh concentrated on trying to preserve his party's control in the Assembly, where the Democrats had a 42-to-38 edge. When the Republicans took control, Unruh suffered a major personal defeat.

But this was only part, perhaps the least important part, of Unruh's troubles. Though Chicago showed him milder and more fair-minded than leaders of other major delegations, Unruh has been the closest thing to a political boss many Californians have ever known. Californians who might otherwise approve of Unruh and his ideas reject him as "Boss Unruh," calling him by his damaging old nickname, "Big Daddy." Though there are many in both parties who believe that he would make an outstanding governor or a brilliant Senator, he appears increasingly unelectable.

Perhaps the brightest recent news for California Democrats was Sen. George Murphy's announcement that he would run for a second term. It had been expected that the ailing Republican ex-actor would decide, after several years of scarcely detectable accomplishments in Washington, to retire in 1970. Some persuasive Republicans may still succeed in talking him out of the race, so that he can be replaced by the seemingly unbeatable Robert H. Finch. At least Finch looked invulnerable on his safe perch as a lieutenant governor who mildly deplored Reagan's cutbacks in mental health and social welfare programs without ever seeming disloyal to the state administration. The new jobs of serving as Nixon's chief domestic aide and as Secretary of Health, Education and Welfare should prove more interesting and rewarding for Finch, but they pose political risks. He will be forced to make hard decisions on racial and social matters.

It appears that the Democratic nomination for the Senate may settle in 1970 on 34-year-old John V. Tunney, a three-term Congressman and close friend of Sen. Edward Kennedy. The two young politicians were roommates in law school, and each is godfather of one of the other's children.

Tunney, a son of the former heavyweight champion, is a transplant from Connecticut who settled in the desert area of southeastern California. Despite a liberal voting record, he has been building up his majorities in successive elections in his conservative district. Last November Tunney had a remarkable triumph, winning re-election by 52,800 votes. While he was gathering 63 per cent of the vote—carrying even the idle-rich oasis of Palm Springs for the first time—Humphrey picked up only 39 per cent in the same district.

"The people in my district had the feeling they could vote for me even though my political philosophy was not the same as theirs because I had stated my views to them honestly," Tunney said during a recent swing through the major cities of the state. He got good receptions at meetings with "checkbook Democrats" in Los Angeles and

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San Francisco in his quest for financial support for the Senate race.

"The voters knew my opinions, and they knew what they were getting," Tunney continued. "It's my feeling that California is going through a phase where the voters want officials who are sincerely outspoken on the issues."

It may be that Californians, as Tunney suggested, have become more interested in voting for forceful candidates than they are in what the candidates are forceful about. California will help determine the nation's political philosophy over the years, but its choice may be made not on the basis of ideas or even of slogans. The decision whether the future will belong to the Center or the Right may depend on who looks more appealing on television—the familiar Ronald Reagan with his snappy wardrobe and perfectly preserved black hair; or the interesting new Joseph Alioto with his expensive New York suits and retreating hairline; the comfortable looking George Murphy with his blandly friendly air, or the youthful John Tunney with his bustling, toothy vigor.

WAR PROFITS

THE TAX-COURT PEEPHOLE

SANFORD WATZMAN
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Washington

Although much is known about *some* costs of the war in Vietnam—for instance, casualty figures and spending totals are updated and reported endlessly—it is still premature and rather naive to ask how much profiteering there has been. Those in the know realize that to get an answer one must peer through the only peephole in Washington which affords an overall, if imperfect, view. Anyone may go and squint; the place is the Public Records Room of the U.S. Tax Court, where corporations that are secretly accused of profiteering make their troubles known when (but only when) they file an appeal.

But this peephole is like an astronomer's telescope. Because it takes time for starlight to reach the earth, scientists see galaxies, not as they exist today but as they blazed in space hundreds or thousands or millions of years ago. Similarly, a sighting through the Tax-Court peephole reveals almost nothing yet about Vietnam. Instead, more than fifteen years after the truce at Panmunjon, one gets today, for the first time, a panoramic view of the Korean War. It takes that much time to adjudicate cases.

December 16, 1968, was a great day for the excessive-profits watchers. For them, the Korean War was finally brought to a close in a ruling handed down by Judge Charles R. Simpson. It was the end of an era, and those at the peephole were now free to turn their attention to the war in Vietnam. Patience will be required, for the first tantalizing glimpses of the stepped-up war in Vietnam, as it was in 1965, are just now coming over the horizon in Tax Court.

Judge Simpson held that the LTV Aerospace Corp., a subsidiary of Ling-Temco-Vought, Inc., No. 8 on the fiscal 1968 list of the top 100 defense contractors, had indeed realized $750,000 and $3.5 million in unwarranted profits. When? Why, in 1952 and 1953. Judge Simpson told the story in a highly technical written opinion that covered 92 pages, including charts and statistics. The opinion was noteworthy because it decided the last of the so-called "air-frame" lawsuits which, taken together, dominated profiteering determinations made by the U.S. Renegotiation Board as a result of the Korean War and its aftermath. The first such dispute to be resolved involved the Grumman Aircraft Engineering Corp. A Tax-Court action on October 12, 1959, upheld board findings against Grumman that totaled $3 million for 1951 and $5.5 million for 1953. LTV Aerospace, too, wound up getting no relief in the court.

Eight corporations were hit in the "air-frame" cases.* Each is a member of the select 100 club. The biggest blow was dealt to the Boeing Co., which the board assessed a total of $34,284,165 for four years. Boeing challenged the board's gross accounting methods and took its chances on an appeal to the court, thereby laying its books open to a more detailed audit by the FBI, as provided in the Renegotiation Act of 1951. The result was that Boeing was found to have amassed not $34 million plus in excessive profits but *$41 million.* North American Rockwell Corp. had better luck; a determination of $33 million for four years was knocked down to $27 million. Martin Marietta Corp. went from $19,175,000 to $17,875,000; Lockheed Aircraft Corp. from $19,579,227 to $15,750,000; McDonnell Douglas Corp. from $19.5 million to $18.5 million, and Fairchild Hiller Corp. from $2 million to $1.8 million. As already indicated, Grumman and LTV came out "*even.*" These figures do not include interest paid the government, but that was a relatively minor factor. Interest on the assessments stopped running three years after appeals were filed in court. Not until 1962 was the law changed (but not retroactively) to keep the interest going until cases were finally settled. In any event, the rate is only 4 per cent with no added penalties, compared with the 6 per cent and heavy penalties that individuals and corporations pay on income tax debts. On the other hand, what the eight corporations paid out in lawyers' fees is not visible through the peephole, and government officials will not even hazard a guess. The findings of the board in the eight groups of cases came to

* In each case the corporation is identified here by its current name; for instance, the LTV litigation was begun by the old Temco Aircraft Corp., a predecessor of Ling-Temco-Vought, Inc.

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$140,288,392. Justice Department attorneys acting for the board did not lose a single case; they were sustained on a total of $134,675,000 in the decisions and settlements that followed appeals.

Viewing all this as background, the observer begins to develop a sense of eternity. For now emerging in the context of Vietnam are two of the same eight corporations that figured in the Korean War "air-frame" cases. On July 26, 1968, McDonnell Douglas returned to the court to protest a board finding of $8 million. Thirteen days later, Grumman reappeared to challenge a determination of $7.5 million. Both cases involved the companies' 1965 fiscal years, but watchers with visual acuity were treated to a surprise bonus. The McDonnell papers referred incidentally to a 1960 case in which the board and the corporation quietly agreed that McDonnell should refund $2 million to the U.S. Treasury. This brought the known cases against McDonnell (since 1953) to four, not counting the current appeal. Like the Internal Revenue Service, the board is bound by strict laws of confidentiality. It must not divulge the identity of any corporation that it duns; its proceedings are conducted in private. Therefore, except for McDonnell's own disclosure, tangential to the 1965 case, the 1960 finding would not have become a public record.

The McDonnell papers included a letter from the board dated last April 30. The communication praised the company for its production of the F-4 Phantom airplane—"one of the finest of its type"—and the Gemini spacecraft—"an outstanding success." But the board went on to say: "It is apparent that the government's requirements were responsible for the contractor's significant growth." And: "In view of the contractor's long experience in the . . . space programs and the years of development and production of the F-4, the Board is of the opinion that the government should receive significant benefit from this expansion of [sales] volume, either through lower prices or in renegotiation." The letter continued:

> In conducting its renegotiable business during the review year (1965), the largest volume in its twenty-six years of operation, the contractor benefitted greatly from government financial assistance. In addition to the use of government-owned facilities reported at a cost value of $43.7 million at the beginning of the year, the contractor also received a very large amount of progress payments. Such payments amounted to $323.4 million at the beginning of the year, or 63.9% of inventory applicable to contracts in process.

The board observed that renegotiable sales (those sales falling under the board's jurisdiction) were up 15.6 per cent over 1964, were 77 per cent higher than in 1963, and more than double those of 1960. The letter concluded:

> Returns on capital and net worth at the beginning of the review year, allocated to renegotiable business on the cost of sales ratio, amounted to 32.6% and 76.6% respectively. In the prior year the return on capital was 25% and on net worth 52%. In fiscal year 1960, returns were 26.6% and 58.9% after elimination of excessive profits. . . . The effect of the determination is that the contractor will retain a renegotiable profit of $75,420,000, or a profit margin of 7.6% on adjusted renegotiable sales of $990,915,000. . . . The determination would leave the contractor returns on capital and net worth of 29.4% and 69.2%.

McDonnell replied that the board juggled figures, with the result that it "bunched earnings" of the company in the year in question, to the disadvantage of the corporation. It also disputed the board's decision to disallow $2.5 million in charitable contributions as part of the company's cost of doing business. McDonnell asserted that the board erred in failing to give weight to the contractor's efficiency, to the financial risk that was involved, and to the company's inventive contributions to America's defense.

Grumman in 1965 was a designer and developer of naval aircraft, a major subcontractor for the F-111 fighter plane, and a producer of an orbiting astronomical observatory and a lunar module for the Apollo space vehicle. A board notice dated last May 21 alleged that the company had renegotiable sales in 1965 of $813,717,000, with a profit of $52,76,000, or 6.5 per cent. Grumman was said to have had "a return on beginning-of-the-year allocated net worth of 81 per cent, a rate which, in the opinion of the board, clearly indicates excessive profits." The board asserted that the company benefited from government-owned facilities valued at $61 million. It further charged that "44 per cent of . . . renegotiable sales were under comparatively riskless, rapid-pay type contracts that put no great financial burden on the contractor." The board found that "an increase of 47 per cent in sales was accompanied by an increase of 162 per cent in profits," and that the additional profits for the year "exceeded the contractor's total profits in any prior year in its history." The finding was intended to reduce the profit margin to 5.6 per cent. Grumman retorted that the board unfairly refused to allow certain costs, did not properly credit the company for its increasing independence from government aid, and that insufficient weight was given to corporate efficiency, know-how and risk. Grumman's view, paralleling McDonnell's, was that the board had acted "erroneously and arbitrarily and capriciously."

As these pleadings were entered in court, the board was fighting for its life in Congress—and, in fact, it was technically dead. This tiny and obscure independent agency, headed by five men who serve at the President's pleasure, subsists on a budget of merely $2.6 million and has less than 200 employees—making it something of a flyweight champion among government bureaus, both in terms of its size and its pound-for-pound (or dollar-for-dollar) effectiveness in recovering for the government far more than it spends. It is not a permanent agency; Congress must periodically renew its lease on life. By June 30, 1968, the board had "died," its authority to require annual statements from defense contractors having expired while a renewal bill was pending in Congress. However, the board remained in business, occupying itself with a formidable backlog as it waited for the lawmakers' decision.

At the beginning of the year, the Cleveland *Plain Dealer*, *The Nation* and a group of Ohio Congressmen, inspired by speeches delivered earlier by Rep. Henry Gonzalez (D., Tex.), had launched a crusade to retain and strengthen the

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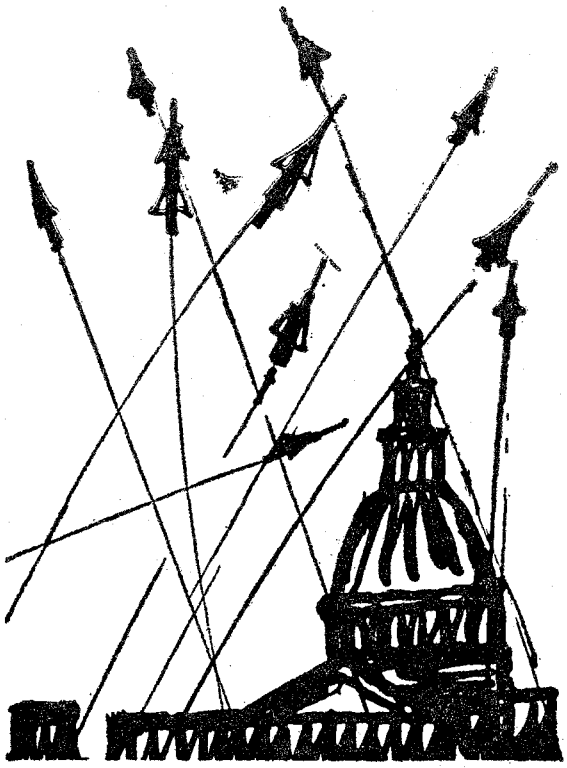

board. During the Korean War the board had had 742 employees and a much broader jurisdiction. But its staff and its powers to review corporate records began to deteriorate after that war, and even the steady escalation in Vietnam had failed to revive White House and Congressional interest in the agency. The campaign to save the board ended with a measure of success last September, when Congress finally agreed to give it a three-year extension (a longer life span than it had ever been accorded before), and to enlarge slightly the scope of its operations.

During this period of tension for the board, some interesting disclosures were made. For instance, Gonzalez brought out the fact that fourteen corporations that kept getting called on the carpet by the board were having no trouble winning new defense contracts. The Texan had Congress' General Accounting Office (GAO) conduct an investigation for him. Then he reported to his colleagues that, in the four years before 1968, nine companies were cited twice for profiteering by the board, three others were accused three times each, and two corporations had become the object of proceedings in each of four years. GAO officials had informed Gonzalez that, "to the best of our knowledge, the Defense Department does not give weight to the Board's findings in selecting suppliers of defense materials . . . nor do the Board's findings diminish a company's chances of receiving another contract." GAO recommended exchange of more data between the Defense Department and the board, adding that facts supplied by the board could help the Defense Department to sharpen its procurement practices. Because of the rules of confidentiality, GAO did not identify the fourteen corporations. About the same time, Rep. William E. Minshall (R., Ohio) inserted a statement in the *Congressional Record* showing how the board was instrumental in disallowing excessively high salaries paid to executives of defense-oriented corporations. One case cited by Minshall concerned two brothers who had paid themselves a total of $94,000 in one year. But the board found that the pair had done nothing to earn their pay since they were devoting all their time to another company. Salaries are a factor in renegotiation proceedings because, to the extent that they are part of a company's overhead, they have the effect of ostensibly reducing profits.

The board's 1968 annual report, released on December 31, contains fresh indicators of excessive profits traceable to the Vietnamese War. Nearly one out of every five corporate statements filed with the board were denied immediate clearance and closer scrutiny was ordered. The comparable percentages were 16.8 in 1967, 13 in 1966, and 9.6 in 1965. Although only part of a contractor's business is reviewable by the agency, the board, reporting on what it *did* see, disclosed that 3,351 corporations, with renegotiable sales totaling $35.3 billion, enjoyed profits of $1.9 billion, while 676 other companies, with renegotiable sales of $3.5 billion, suffered a loss of $125 million. "When compared with earlier fiscal years," the board observed, "these figures indicate a continuing decline in both the number of 'loss' contractors and the amount of 'loss' sales." In fiscal 1968 the agency made forty-six determinations of excessive profits totaling $23 million, against eighteen for $15.9 million the previous year. Also, a new trend appears to be developing. In the first sixteen years of the board's existence, it won grudging agreement from contractors nine times out of ten when excessive profits were alleged. But in fiscal 1968, corporations refused to accept the finding in nineteen of the forty-six cases.

The annual report, the only meaningful document made public by the board in the course of a given year, deals with generalities and overall statistics. It never discusses individual cases. So one is forced back to the the peephole at Tax Court, and the confrontation with eternity. As it happens, eternity squares with the official view.

"There is no foreseeable end to the conditions which make [the Renegotiation Board] necessary," House Speaker John W. McCormack was advised in a letter from the Administration last February 23. Pleading for an indefinite extension of the board's authority, the letter pointed out: "Even if the Vietnam conflict were to end in the near future, the end of international tensions is not in sight. Hence, there will be a continuing demand for new and increasingly complex aircraft, missiles, space vehicles and other specialized items; and huge purchases will continue to be made under conditions similar to those now prevailing. Market-tested prices do not and cannot exist for costly, novel and complex military and space products. For this reason, prices must be negotiated, often with sole source contractors. Such negotiated prices are necessarily based upon uncertain cost estimates because reliable cost experience is not available. . . . The profitability of the contractor's performance of all his contracts are recorded for his fiscal year. Renegotiation provides an after-the-fact review of such profits. Thus it affords the only means for assuring that the profit outcome of procurement is reasonable."

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RACE RELATIONS IN ENGLAND

THOMAS LAND
Mr. Land is a London-based political journalist whose articles appear in North America, Asia and Africa, as well as in Britain.

London

After a year of violent debates over the wisdom of granting a Magna Charta to Britain's racial minorities, the actual passage of the Race Relations Act—one of the most important new laws in the nation's postwar legislative history—has come as an emotional anticlimax.

Employers, trade unions, banks, finance and insurance companies, hotels, bartenders, school authorities and an endless list of others are now breaking the law today, and are punishable by heavy fines, if they discriminate against anyone because of his color. The argument over the race issue in Britain is being maintained only by the die-hards. What remains is the task of solving it in practice.

The law defines discrimination as treating a person less favorably than another on grounds of color, race or ethnic or national origins in the provision to the public of goods, facilities and services and in employment and housing. Immediately affected are more than 1 million colored people in Britain, drawn largely from Africa, Asia and the West Indies, and comprising roughly 2 per cent of the population. There are in addition an estimated quarter of a million colored Britons, most of them second-generation immigrants, who are either already on the employment market or will soon leave school.

It was largely to avert an explosion of disappointment from the young at being denied equal working and earning opportunities that the Race Relations Act came into force. During the first two years of the law, firms employing twenty-five or fewer workers will be exempt. In the third year, that number will drop to ten, and after four years all employers are to be covered.

If an employer discriminates in good faith in order to maintain a racial balance of workers, he does not break the law as long as that balance is "reasonable." What is reasonable remains a sensitive and controversial question, no doubt to be tested before the courts. Britain's lawmakers have at this point passed the buck to the judiciary.

People of whatever color who have been wholly or mainly educated in England are not, for the purpose of maintaining a "racial balance" in employment, to be counted as members of an immigrant group. This means that the colored graduate cannot be refused a job on that score.

One important exemption under the law is employment in domestic service.

In housing, the law makes it illegal for anyone with the power to sell or let residential accommodation, business premises or land to discriminate against colored customers. The principle applies in fixing the terms of an agreement as well as in deciding whether to sell or let.

The housing provisions of the law have been obviously designed to put a stop to the spread of racial ghettos in the industrial centers. They affect Britain's more than 6 million owner-occupiers of homes, the real estate business and, eventually, town planning.

By-products of the law include the disappearance of advertisements attaching racial qualifications to offers, such as "Europeans only," and the dispersion, so far as is known, of unofficial neighborhood pressure groups intent on keeping blacks out and home prices up.

Yet there remains a narrow field where the latter can still effectively operate. The sale of wholly owner-occupied premises is exempt under the law as long as no use is made of the services of a real estate agent or advertisements of any kind. And racial discrimination in housing is still permitted in cases where the owner shares the rented accommodation with his tenants.

Complaints of discrimination in housing are to be lodged with Britain's Race Relations Board, which initially seeks conciliation and, if possible, a written assurance against further discrimination. If it fails at that level, the board can instigate legal proceedings, seeking a court injunction to stop future acts of discrimination and asking financial compensation for damages. The court may grant compensation on many grounds, including "loss of opportunity" for benefits which a person might have expected to receive except for the act of discrimination.

In industry, all complaints of alleged discrimination are referred to the Department of Employment and Productivity, which has its own machinery for the elimination of the color bar. But if industry is unable to settle its race problems, the Race Relations Board may take them up. This would normally happen when a party was dissatisfied with a decision made by the industrial machinery.

Separate schemes for dealing with race relations are being established by the individual sectors of industry, and each one of them must be passed by Mrs. Barbara Castle, the Minister for employment and productivity. Her department has so far approved sixteen such schemes; twenty-four are under discussion, and ten others are still being prepared. This means that out of Britain's working population of 24 million, fewer than 5 million are thus far covered by schemes which have been approved.

The Race Relations Board, which may have to take up many cases affecting industry while the voluntary schemes are pending, was established under the Race Relations Act of 1965, the Labour administration's first, ineffective, attempt to rid the nation of the unofficial color bar. The new law has considerably increased the power of the Race Relations Board. However, conciliation remains its first and foremost task, sought by its local committees dotted throughout the country.

And conciliation is urgently needed in some fifty British industrial centers where the availability of work has attracted migrants from other parts of the country as well as from overseas. Britain's population density is one of the highest in the world. The problems of growing congestion experienced by its largely urban population provide a prime breeding ground for racial friction.

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BOOKS & THE ARTS

Medicine: The Calculated Risks

HUMAN GUINEA PIGS: Experimentation on Man. *By M. H. Pappworth, M.D. Beacon Press. 228 pp. $5.95.*

GEORGE A. SILVER, M.D.
Dr. Silver is an Executive Associate of Urban Coalition.

With this opening paragraph Dr. Pappworth lays out the subject of his book:

"For several years a few doctors in this country and in America have been trying to bring to the attention of their fellows the disturbing aspects of what have become common practices in medical research. These practices concern experiments made chiefly on hospital patients and the aspect of them which is disturbing is the ethical one. In their zeal to extend the frontiers of medical knowledge, many clinicians appear temporarily to have lost sight of the fact that the subjects of their experiments are in all cases individuals with common rights and in most cases sick people hoping to be cured. As a result, it has become a common occurrence for the investigator to take risks with patients of which these patients are not fully aware or not aware at all and to which they would not consent if they were aware; to subject them to mental and physical distress which is in no way necessitated by, and has no connection with, the treatment of the diseases from which they are suffering; and in some cases deliberately to retard the recovery from that disease so that investigation of a particular condition can be extended."

For all practical purposes the above completes the discussion. The rest of the book is an extensive documentation, in some cases perhaps a little irritatingly high-pitched, but otherwise basically sober reporting. The book is divided into chapters, each of which explores another area of the thesis, such as, "Experiments on the Dying and Old," "Experiments on Infants and Children," "Patients as Controls," "The Inducement of Illness in Subjects," etc.

The illustrations are selected from scientific publications, and the variety testifies both to Dr. Pappworth's industry and the prevalence of the disorder he is describing.

Among the more harrowing examples he offers are:

(*1*) "In 1954 heart catheterization was performed on sixteen children, aged eleven to sixteen, and one adult aged twenty, ten of whom had active rheumatic heart disease, while the other seven were recovering from acute rheumatic fever. In the latter group the disease was considered to be inactive, although four had valvular disease.

"The experiment consisted in passing a catheter, under X-ray control, via the main arm vein into the subclavian vein of the chest, thence into the superior vena cava, thence into the right atrium of the heart, and so into the pulmonary artery. . . . At the same time a tightly fitting face mask and nose clip were applied to each child's face, so that samples of air breathed out could be collected for analysis. After blood samples had been taken from the heart (through the catheter) and pressure recordings within the heart were obtained, the children were made to 'cycle' on a special machine, and they did this with the cardiac catheter and face mask remaining in position.

"The conclusion reached as a result of this experiment was: 'Active rheumatic carditis interferes with the functional efficiency of the heart.' This fact, however, was not only already well known but was well established. The purpose of the experiment had been, as is so often the case in experimental medicine, merely to confirm some existing knowledge."

(*2*) "A group of Cuban doctors" (working in Cuba in 1935) "not only gave spinal anaesthetics to a group of pregnant women but then proceeded to perform translumbar aortography on them. This was the first time that translumbar aortography had ever been done on pregnant women and its purpose was to study the abdominal circulation in advanced pregnancy.

"After the spinal anaesthetic, with consequent paralysis and loss of sensation of the lower limbs and trunk, the patients were turned to lie face downwards. A six-inch needle was then pushed through the mass of muscles adjacent to the vertebral column until it entered the aorta, the main artery of the body. When blood flowed in 'a pulsating stream' a contrast medium was injected through the needle and serial X-ray films were taken of the aorta and the renal arteries. The experiment was done on twelve women during the eighth month of pregnancy. One woman died of meningeal haemorrhage following the lumbar puncture given for the spinal anaesthetic."

(*3*) "Diabetic coma is a very serious condition with a high mortality. The longer the patient has been in coma prior to its energetic treatment the worse the outlook. This condition is associated with a profound fall of blood pressure. In order therefore to investigate the mechanism by which this fall comes about, it was decided by a group of research workers to pass cardiac catheters for special estimations on a group of patients admitted in diabetic coma. Oxygen consumption was also measured by a special apparatus.

"This was done on five such patients, whose period of coma prior to admission varied between five and eighteen hours. One of these patients was aged seventy-one. All died, not because of this investigation, but because of the seriousness of the condition. I find it impossible to justify such a procedure which was purely experimental and very unlikely to have been of the slightest value to any of those particular patients."

In the last few pages of his book Dr. Pappworth undertakes to explore the ethical principles and legal considerations involved, proposes what he believes to be helpful legislation, and concludes with a noble sentiment—"the return of the physician friend."

Pappworth is concerned perhaps with what may be nothing more than an extension of the old "town and gown" conflict. The patient comes to the physician for help in a time of need, for counsel, relief from pain or fear, for a cure. He is not deliberately seeking the role of subject in an educational or investigational process. As Holmes (the doctor father of the Justice) says, in *Scholastic and Bedside Teaching*, "I pay the captain of the Cunard steamship to carry me quickly and safely to Liverpool, not to make a chart of the Atlantic for after voyages."

If the doctor's role is really only to help patients immediately and directly, and not to teach or learn, one can quote Hippocrates to the contrary. Certainly one aspect of the physician's role is the transmission of skill and knowledge, some part of which process may not always be entirely beneficial to the patient, since students of surgery are certainly not as skilled as the teacher of surgery. Yet they must attempt some surgical procedure for the first time, in order to become progressively more skilled.

This is not simple hair-splitting or

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casuistry. At some point or another one must face up to the fact that the extension of knowledge requires tests, that the improvement of skills, techniques and knowledge itself requires experimentation and that at some point, "patients are human guinea pigs."

But this is not to say that there are no ethical principles involved. An earlier writer in the same field, Dr. H. K. Beecher of Harvard, exposed a whole series of useless, dangerous, even fatal experiments carried on in the name of science, pointing out that "An experiment is ethical or not at its inception. It does not become ethical post-hoc—ends do not justify means. There is no ethical distinction between ends and means."

To experiment on patients against their will or without their knowledge is inexcusable and does smack of the Nazi medical crimes. There is nothing that should prevent us from insisting on voluntary consent of the person upon whom the experiment is to be performed: from assessment of the danger of experiments on human beings by previous animal experimentations, or from assuring proper medical protection and management of the experiment. These proposals were adopted by the American Medical Association in a report of their Judicial Council over twenty years ago.

Pappworth insists on an enlargement of this thesis, and he formulates as his first principle his version of the Golden Rule, "Do not unto any man that which you would not have done to yourself," the advice of Rabbi Hillel. After graphic descriptions of some of the suffering to which subjects are exposed, where the advancement that might be made in research is small, for instance, or where the patient may die of the experiment though not of the disease, one is horrified. There are physicians, however, who do see these procedures as an advancement of knowledge.

I recall, as a soldier in the Second World War, reading an account of a campaign in which I participated, where the units with which I was fighting took heavy casualties. The report of the event stated: "The General took a calculated risk." In some of the experiments described in the book, the doctor (like the general) is said to have performed a "daring experiment," the patient, of course, taking the risk.

Pappworth's second principle is the principle of valid consent, that is, that the patient should know what he is consenting to and should be able intelligently to give consent. With children the matter becomes doubly complicated. Shall parents be permitted to allow experimentation on the children, particularly in those situations in which the benefit will not accrue to the child himself but to "other children" as the experimenter may say?

Pappworth's third principle is that certain subjects shall be prohibited from being experimented upon because their consent cannot be obtained validly: the mentally sick, the aged, the dying. He goes on to add the points made by the AMA years before that there should be previous animal experimentation and evidence of the experimenter's competence in performing the tests; that proper records should be kept in order to judge whether the patient had any ill effects following the experimentation and whether the results justify further investigation and use.

A good many unpleasant ghosts are raised in these discussions—the Nazi doctors, for example, and the concept of subhuman creatures upon whom one may and should perhaps experiment as much as one pleases. Who will be next after the retarded and the mentally sick? How can we stop the unnecessary duplication, dangerous and ill-advised tests already determined to be without value? What shall we say about the university hierarchy in which publication is desperately required for promotion so that innumerable tests and various clinical reports have to be submitted in order to accumulate bibliography?

At the time this book was written, Dr. Pappworth had not yet had the opportunity to become acquainted with what may be the grisliest of all examples in the field of human experiments, the heart transplants. His book condemns kidney transplants, which had had some publicity at the time of his writing. He mentions the risks to the donor, and the very small chance of saving the life of the recipient. He mentions the mystery of transplant rejection which the scientists are working feverishly to overcome. But in spite of the complexity of the procedures and the skills required, he points out the danger that many will undertake such transplants even where their skills and competence are unequal to the task, because of the demands of the community, or for prestige, or even for gain.

There is also the danger to the recipient. Just as a donor may be sacrificed "prematurely" for the sake of the experiment, may not a case be cleared for transplant where the risk of dying from surgery is greater than the risk of dying from the disease? And the pressures to find a recipient, corrupting the operator, may on occasion be as great as the pressure to find a donor.

It is impossible to discuss Pappworth's book without going into the question of heart transplants which have received such enormous publicity. In view of Desmond Smith's essay ["The Heart Market," *The Nation*, December 30], however, it is only necessary to relate this subject to the general matter of ethical principles with which Pappworth's book is concerned. Such new discoveries which are difficult to apply and very expensive, as the heart transplant operation or the artificial kidney, raise additional issues and offer perplexing dilemmas.

Will the lives of the mortally afflicted be saved? Do these discoveries offer promise to all? The heart transplant—clearly not. The artificial kidney—possibly, but at a great price. Will (and you might read "should") society earmark billions of dollars for artificial kidneys for a few thousand sufferers who will die otherwise, when it does not appropriate lesser amounts to save the lives of hundreds of thousands, perhaps millions, of inadequately fed or untreated fellow citizens who die prematurely of nutritional deficiency, correctable diseases uncorrected, preventable diseases unprevented? What are our priorities?

A new trend in hospital design is evolving to keep pace with the growing transplant business. Will this be an accelerating trend, always upward, medicine's biggest business in the next twenty years? It will undoubtedly accelerate the already soaring costs of medical care. Are we prepared to spend larger and larger percentages of our gross national product on medical care? It is over 6 per cent now. In view of the desperate needs for housing, education, food, do we want to spend 10, 50, 90 per cent of our treasure on medical services?

Will we see the motto—"Here where death rejoices to aid the living"—now restricted to the autopsy room, become the frontispiece of the hospital?

To all of the strictures offered by Dr. Pappworth and others on the dangers of uncontrolled human experimentation, the heart transplant adds a few others. Shall one wait until the donor is dead, since a heart which is still beating is much more likely to continue to beat in the recipient? And if one need

IN THE WOODS

"I grew like hair to your clothes."
In the woods, red ivy marked the way.
The ants streamed with nervous terror.
My hand fled over her breasts like a vine.

MICHAEL GOLDMAN

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not wait until the heart has actually stopped beating, at what point shall the donor be considered dead, or sufficiently dead, for the heart to be removed? And by removing the heart from a patient who seems to be nothing more than a vegetable anyway, due to an accident or incurable disease, isn't society letting him be of some use? But isn't this just one step from the following imaginary situation: An eager surgeon has his prospective recipient ready and waiting. A donor is not readily available (accidents that day were a little lighter, mortal disease lessened, the angel of death had moved to another hospital). Perhaps the surgeon would like to see a particular patient of the right size, or weight or age selected, and have him ready for use.

There is a story going around (it may be true) of a donor who was lined up for a heart transplant. The recipient, however, at the last moment decided against having a transplant, and died. The putative donor was recently discharged from the hospital.

This sort of talk may appear to be a reckless calumny on the medical profession, and a kind of smart-aleck anti-scientific irresponsibility. But one cannot help recalling the "resurrectionists," the echo of Burke and Hare, and the situation in Edinburgh when anatomical specimens became so scarce that medical schools, in dire need, were prepared to pay huge sums for a body. Obliging local lads would then dig up bodies barely buried in order to meet the demand. Later a pair of ambitious entrepreneurs undertook to provide bodies before they were buried, and succeeded so well that an unknown number, whispered to be in the hundreds, were murdered for science and profit.

But these gloomy predictions reflect only one part of the ethical dilemma of medical experimentation. The physician's job is to heal, yet to do his job well, new knowledge must be constantly uncovered. The history of the past century is evidence enough that if it can, it will be done. However it may well be that the cause of mankind requires slow and careful developments, while the cause of science may be better served by an impatient unconcern for human values. Who will weigh the considerations? Is the cause of science separable from the cause of mankind?

Science sets up too many situations in which individual human beings are expected to make ethical decisions with too little guidance as human beings or professionals. The matter of "informed consent" has been struggled with to the point where experimenters who now operate with federal funds are obliged to give some earnest of their having obtained valid consent from the subjects. This cannot be transformed wholly into a mockery, but it can be circumvented. Many sincere investigators are nevertheless impatient under the restrictions placed upon them, and use every legal means to bypass the consent mechanism. In experimental cancer therapy and in the treatment of certain types of mental illness, where the cases are demonstrably hopeless, the temptation is unbearable.

Invasion of privacy is another area in which intolerable pressure is put upon investigators by their need to have information available, and the contrary ethical principle that no one should be deprived of the right to dispose of himself (or information about himself) without his consent. Many who are concerned about the invasion of privacy inherent in experiments that may do physical harm or injury are far less concerned about such invasion where it may do mental or emotional harm. The huge data banks that are in the process of being established will provide wonderful epidemiologic tools and will no doubt serve to provide more effective and efficient service for patients when their ills and quirks can be stored in the computer's memory to be called upon from any place in the country, or even the world. Yet to what other use this information may be put is hardly known, and a police state use cannot be discounted in the cyclically changing political attitudes of our country.

Not too long ago a patient is said to have lost a claim in a jury trial against a negligent driver, as a result of which accident he suffered serious injuries, because his medical record, subpoenaed by the court, contained a psychiatric note that he "may have been" a latent homosexual. Whether or not this influenced the jury cannot be known, but his attorney feels it may have weighed heavily against the plaintiff. What other kinds of medical evidence may be prejudicial for other reasons, and in other times used to imprison or punish victims whose innocent histories are stored in the computer?

Finally, in the promising and threatening field of genetic change manipulated by man, who will then become the subjects of professional decision when science learns to cope with the DNA molecule and genetic transformation? What steps will be taken to protect not only the individual but unborn children where the experiments may or may not have baleful effects on future generations?

Even now unconscionable tests are being conducted, loading the atmosphere with contaminators that may have long-range genetic effects about which we as yet know nothing. Substances that produce genetic change are sold commercially and any move to change the situation is adopted reluctantly for fear of interference with the entrepreneurial system.

A macabre sidelight on the potential shortage of "material" and necessity for offsetting legal consequences to the surgeon is offered by a conference held in September. This was amusingly titled "Social Aspects of Heart Transplants," and among other matters it concluded "that new legislation should be adopted to allow persons to carry cards donating their bodies upon death for transplants or other scientific uses."

The newspaper reported at that time that Dr. Denton Cooley of Houston, who had already performed eleven heart transplants, said he could have done twenty-five more if he had had enough hearts.

Dr. Francis Moore of Harvard indicated that ten times as many organs are needed as are at present available. It gives some force to the joke going

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—C. T. Hsu, Saturday Review

". . . one of the two classics of the Chinese Revolution, the other being **Red Star Over China."—Martin Bernal,** New Statesman (London)

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around: "Drive carefully, Dr. Barnard is waiting."

Others are recommending wider use of cadaver organs generally—such a small incision, how can the family object? This has more merit, of course, in the long haul—when cadaver organ banks may become as much a reality as blood banks. Actually such social usefulness of corpses ("we use everything from the pig but the squeal") may offset the strictures of selective use and reduce the probability of creating corpses on demand.

As work *for* man shades into work *on* man, how can we protect man from his fellow man, particularly when he comes in the guise of physician, friend, counseler and helper? Perhaps the tangle of health and hurt, of life and death, purveyed by the single agent—the doctor—is only a paradigm of the tangle and dilemma of all of us in our social relationships. Early man is known to have experimented with trephining, cutting holes in the skull for what purpose we will never know. Let the spirits out? The pus? Create exquisite suffering? Religious ritual? Scientific investigation?

We are well on our way to the exploration of the universe of space around us. But it seems that it will be a good many generations before we explore adequately the space within us.

To Be A Salvation

GEORGE ELIOT: A Biography. *By Gordon S. Haight. Oxford University Press. 616 pp. $12.50.*

CALVIN BEDIENT
Mr. Bedient teaches in the English Department at the University of California, Los Angeles.

George Eliot's life is heavy stuff for a biography. The mornings at the desk, the scratching pen, the headaches and colds, the deaths of relatives, the records of annual earnings, the exhausting Sundays "at home"—there was so little health, so little joy. A dank cloud of consciousness seems to have hung over everything. Nor is Gordon Haight, her latest and most thorough biographer, a man to make the most of the prosaic. Haight adheres unadventurously to the bare rock of record. The consequence is a biography that, though solidly built of stone, exists without echoes, without voices or laughter.

Not that this—or any other biography of George Eliot—could fail to interest. For as her life was the truest, so it was the noblest of her stories.

Quiet determination was its keynote, self-fulfillment its theme. "She is an honest woman," Thackeray's daughter, Annie, said of her, "and goes in with all her might for what she is about." So indeed had the young Mary Anne Evans gone into the religious question that racked her age; the result was a long alienation from her family. And so she "also went" into her liaison with George Henry Lewes ("I have done nothing," she said, "with which any person has a right to interfere"); the result, in this instance, was social ostracism. And so, at 60, she did enter into marriage with John Walter Cross, whom she had long addressed as "nephew," and who was twenty years her junior. She needed love, masculine management, intelligent companionship—and gained them. What others said or thought could not deter her. Her imperatives came from within.

Such was the tenor, the meaning, of George Eliot's life. And yet not even self-fulfillment seemed to satisfy her. When she began life with Lewes, she was 34—too old to escape, in Emily Dickinson's phrase, "a Doom of Fruit without the Bloom." The wells of delight had gone dry. Nor had life, as she saw it, ever been more than a barren conception. To the feelings, it was pain; to the spirit, a famine. At 46, after a decade of fame, she declared: ". . . to me early death takes the aspect of salvation." Affection and glory—not even these balanced the emptiness. To her, indeed, only one thing seemed better than death: "the greater blessedness of *being* a salvation."

It was chiefly through her fiction that George Eliot sought to be a salvation. Here was not merely another means of self-fulfillment but, even more, a reason for living. With *Adam Bede*, her first full-length novel, success enveloped her. She had written from her heart and—behold, had found the pulse of the day! Yet so titanic is vanity that her success did not astonish her. Nor was it ever to be enough. With each new effort she strove to increase her power. She was out, after all, to save the world; and in the last analysis this meant saving herself from despair.

And though her art could do little to help others to live, it did indeed help them to bear life. It was confession, inspiration, absolution, all in one. It told of the hungers of the self; it told of the need for self-denial. Dressing up Duty in the majestic robes of Fate, it conquered the age with a resonant abstraction. The conscience of the Victorians whispered "Renounce!"—and in tones ineffably sad, George Eliot echoed "Renounce!" And how learned, how wise it sounded when *she* said it! What a savior she seemed! Of *Silas Marner*, even Thomas Huxley could fervently say: "a book to do great *good* to people."

Her charisma grew. Worshipers fell to the ground and kissed her feet, waited outside concert halls to touch her coat, kept tear-stained handkerchiefs as relics. In her low, penetrating voice they thought they could hear "the mystery of a world of feeling that must remain untold." She became the enigmatic Gioconda of Duty. Lewes took to calling her Madonna. And all the while she showed in every tête-à-tête—F. H. Myers observed—"an almost pathetic anxiety to give of her best . . . —to utter words which should remain as an active influence for good." Decidedly pathetic, however, were words she let drop in the last year of her life: "I am so tired of being set on a pedestal and expected to vent wisdom." Playing Madonna had not proved so blessed after all.

The novels may be read as an apology for the life. Despite her determination and independence—indeed, because of them—George Eliot lived deep in guilt. In consequence, her work became a kind of anti-biography. Though she herself grew from a child into an adult, her heroes and heroines take the journey back again, only too glad to renounce their illusory right to rebellion. The novelist's life speaks of freedom and of the need to think clearly and act honestly; her books quash freedom under an "absolute and peremptory" Duty, and deluge the head with the "emotive" waters of the heart. This cosmopolitan novelist enshrined in her pages the provincial pieties of her childhood. Having fulfilled her own socially "wayward" impulses, she nonetheless persecuted waywardness in her fiction, demonstrating, in book after book, its "awful Nemesis." Through novels that urged others to content themselves with the "infinite issues" attending "everyday duties," she herself reached out for greatness and glory. Except as shadow meets with sunlight, her work did not meet with her life.

All that was weak in George Eliot went into her fiction; almost all that was strong was left out. And now her novels are growing yellow with age. The notable, the very tremendous, exception is *Middlemarch*. Here her clear head, her scorn of intolerance and conventionality, her belief in independence, break through and dominate. The book is worthy of her life; it is honest and true. And even though it may not do "great *good* to people," it helps to make up, as is the way of art, for that sorry insufficiency of things of which its author, beyond all wisdom, was so mournfully aware.

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Slump in Sages

MEN IN DARK TIMES. *By Hannah Arendt. Harcourt, Brace & World. 272 pp. $5.95.*

PAUL ROAZEN
Mr. Roazen is the author of the recently published Freud: Political and Social Thought *(Knopf) and teaches political theory at Harvard.*

Political philosophy has fallen on bad times. There has been, as Sir Isaiah Berlin once put it, a slump in sages. In pragmatic America it is always easier for scholars to gain support and recognition for narrow empirical research projects than for more speculative examinations of the fundamental premises of our political and social thought. Thinking about how we think should be the theorist's job. But when political philosophy is pursued, too often it is simply academic and irrelevant to the contemporary world.

Hannah Arendt is that rarity, a public philosopher with an audience. She has fully earned the right to be considered one of our ranking social thinkers. Her *Origins of Totalitarianism*, which examines the links between anti-Semitism, imperialism and totalitarianism, is a splendid study, full of ideas. Her *Eichmann in Jerusalem* was capable of upsetting intellectuals, especially Jewish ones, all around the world; this book remains a shocker—for the terrible historical tale it tells, for the trial it records, and for the viewpoint it presents.

Men in Dark Times is a collection of assorted essays about leading Central European intellectual figures of the last century (with the exception of the opening essay on Lessing). Despite an occasional tendency to pontificate, Miss Arendt can be a very moving and eloquent writer. Some of these essays were originally written in German and their English translations do not read as smoothly as the ones composed in English. Though this is not a major book of the author's it does present some of her most characteristic outlooks.

A refugee herself, Miss Arendt is a messenger of ill tidings. The rise of Hitler put an end to the rich cultural life of a Continental intelligentsia, forcing many of its members to flee and scatter abroad. Other men at other times have found it easy to perceive the break in their personal lives as a shattering of the Western tradition. Maybe each of us is doomed to nourish his own provincialism. For those educated in the best of Western culture, the disruption of their own societies was almost bound to foretell the decline of the West. It is perhaps unnecessary to point out that, despite the holocausts of this century, culture—even of a distinctively Western variety—has in fact succeeded in flourishing outside the German-speaking world.

Against the background of her general theme that our era is one of public darkness, Miss Arendt's form of cosmopolitanism has given us some brilliant essays on individual figures. The study of Rosa Luxemburg, for example, is wonderfully evocative of a human being, and presents an outstanding account of a great and neglected figure in the history of socialism. A few pages on Pope John XXIII make him live as a simple man of faith and humanity, at the same time a most impressive Prince of the Church.

A very long and devoted chapter on Walter Benjamin attempts to give this man of letters his due recognition, although her essay fails to convey persuasively the sources of her enthusiasm for his talent. (Miss Arendt is responsible for some of Benjamin's work appearing in English now for the first time, and a debate is already under way over his contribution to literary and moral life.) A fine, clear essay on Bertolt Brecht illustrates her range of appreciation; she is most interested in him for his political and social convictions, and the way his ideology could conflict with his art. Yet it is the poet in Brecht, as well as his playfulness, which has captured her imagination. Miss Arendt also sensitively treats Isak Dinesen, Hermann Broch, her teacher Karl Jaspers, as well as her personal friends Waldemar Gurian and Randall Jarrell.

No such book of reviews, addresses, essays and tributes can be expected to have the satisfying coherence of a sustained or developed argument. Such a collection almost necessarily acquires a continuity more of mood than of logic. These articles do form a piece, however, with her larger body of work, which has focused on defining the limits of the public realm. Although she writes so often on literary subjects, and demonstrates a real talent for understanding the artist's dilemmas and inner conflicts, in the end Miss Arendt takes her stand on moral and political grounds. As a public philosopher she toils on, contributing by her illumination to relieving public darkness.

A Slave in Our Time

THE AUTOBIOGRAPHY OF A RUNAWAY SLAVE. *By Esteban Montejo. Edited by Miguel Barnet. Translated from the Spanish by Jocasta Innes. Pantheon Books. 223 pp. $4.95.*

OLIVER T. MYERS
Mr. Myers is chairman of the Department of Spanish and Portuguese at the University of Wisconsin, Milwaukee.

The possibility of running into a person who grew up as a slave, someone who might recall with a clear mind the circumstances of slavery and the event of abolition, has now about reached zero in the United States. This is not so in Cuba, where slavery did not end until 1880, nearly twenty years before independence from Spain was won. A few years ago, Miguel Barnet found Esteban Montejo, an ex-slave who had reached manhood almost at the same moment he became a free man.

Montejo was born into slavery around 1860 (he gives that date, although the interviewer and editor suggests a year or two earlier), ran away into the forests as a teen-ager for a life of solitary and illicit freedom, and did not emerge until he was convinced that slavery had indeed come to an end. In 1963 Miguel Barnet, a young poet and folklorist, gathered the story of his life through tape recordings and friendly chats over a two-year span, and this remarkable book is the result, a series of talks with a man whose mind is as free and open as his spirit had always been. It probably would not have attracted as much notice twenty or thirty years ago as it does now; for we have rediscovered slavery and have been forced to consider the cultural heritage of some of our friends and neighbors as Africans, and as American slaves.

Montejo (Barnet condescendingly refers to him as Esteban) was a born loner. He found slavery intolerable, not so much for its cruelty or repression, as for the total absence of independence, the independence he was to crave even during his years of freedom. "Lots of Negroes wanted to be friends with me, and they used to ask me what I had done as a runaway. I told them, 'Nothing.' I have always been one for my independence. Idle gossip never helped anyone. I went for years and years without talking to anyone at all."

It must have been something then for Barnet to get Montejo to talk enough to put together a book of this length. Read-

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ing it through at one sitting would make Montejo sound like a garrulous old man, which he was not. It should be kept in mind that this is not the usual sort of oral history, in which an articulate, sophisticated public figure, with the help of a skillful interviewer, creates his intimate portrait of an age; what we read in three or four hours was wrung from Montejo over a period of years of painstaking interviewing and creative editing.

But this is also one of the faults of the book. Barnet admits to extensive rewriting, paraphrasing and inserting "words and expressions characteristic of Esteban wherever they seemed appropriate." Adding to this the necessary checking of certain dates and historical facts, there is some doubt as to how much is Montejo and how much Barnet. The editor's introduction is brief, consisting of a few lines describing the meetings between the two and some historical background. It omits any information on Montejo's activities since the war with Spain, except that he was a member "for many years" of the Popular Socialist (i.e., Communist) Party, and had been retired for forty years. One must assume then that it is Barnet's personal interests which show up in the attention paid to exotic customs, descriptions of African rites, and the operations of the sugar industry in the 19th century. Since there are very few footnotes, it must be supposed that Montejo has a fantastic memory for detail or that Barnet has supplied some material from other sources which he is attributing to Montejo. In all this, the ex-slave remains too much a shadow figure.

The other major fault is that the translation, however accurate, fails to suggest the speech of an (illiterate?) centenarian of Afro-Hispanic birth. This is partly due to the Briticisms of the translator (*treacle, bloody*), which would slow down an American reader under any circumstances; but it is unbelievable that a person like Montejo should speak of "feckless drifters," or drop a "woe betide" into a conversation. And to read: "Then the swine had the cheek to start to explain . . ." is to think only of a British colonel at Khartoum. The careless editing of the English also leads to misspelled Spanish words (*guerilla*) and American Presidential names (MacKinley).

Once past these obstacles and into the genuineness of Montejo's experiences, the reader is drawn into intimate contact wit' an engaging personality. Old Esteban is a firm believer in magic but is patient with nonbelievers; he's more confident that his truths will prevail than the churchgoers are. He is on the whole tolerant of other sorts of people, including his enemies, although he has learned not to trust anyone.

He is in fact quite willing to concede some good to the Spanish and even to the Americans. He is basically a man of peace, but is ready at the age of 105 to take up the machete "in all the battles to come." His survival in the jungle was a triumph of instinct and common sense; these talents and his subsequent experience carried him through the war, and through a full century of life.

The lack of personal involvement with other people is perhaps the most striking characteristic in his make-up. He never sought people for companionship, but could feel personal loyalty in the extreme stress of combat. His greatest passion seems to be that expressed in his hatred of the Americans, which may be played up a bit by Barnet. But here is something more like racial and personal pride than politics or nationalism. His passion for women never led him into a permanent liaison, something that would have threatened his dearly loved freedom. He expresses a mild curiosity about possible children he may have fathered, but as he never felt any family ties to earlier generations there are none to the succeeding.

His detachment lends an air of objectivity to much of his story, but at the same time raises questions about his political involvement. It is difficult to comprehend his party membership; it seems inconsistent that a person who had shunned personal entanglements should have submitted himself to the discipline of the Communist Party. This part of his life is passed over very rapidly. Why? Certainly the political activities of Cuban workers in the early years of this century would have been as interesting as the processing of sugar. And the book would have gained by the inclusion of more of the man Montejo in his authentic accents, and less anthropological exotica.

Morning Coffee with Sillitoe

IGOR HAJEK

Mr. Hájek, foreign literary editor of the Czech Writers' Union weekly Listy *(during the recent stormy period* Listy *was formerly* Literarni listy, *and before that,* Literarni noviny*), is currently on leave of absence in London, interviewing English and American writers for his magazine.*

Alan Sillitoe does not radiate the self-assurance acquired through a good education and success: he is neither urbane, elegant nor eloquent. His self-confidence stems from a quiet conviction that the way he is going is the right one. Like his prose, his speech does not flow easily; each sentence has the sound of an irrevocable pronouncement, spaced with long pauses. He tends to be a little distracted and nervous, and I assume this is because he became an intellectual late in life. He does not smile very often and I did not see him laugh. For him, writing is hard work, not play, and a whimsical self-irony is alien to him. He was wearing a grayish shirt which by cut and color reminded me of a metal worker's overall. He gives the impression of a man engaged in a fight. But I begin from a different angle:

Hájek: In the middle of the fifties, there was much talk of the Angry Young Men, Kingsley Amis, John Braine, John Wain, Colin Wilson and others. A few years later, a number of working-class novels appeared by such writers as Len Doherty, David Lambert, Dave Willis and Margot Heinemann. Some critics put you at the head of this new list of proletarian writers. The so-called Angry Young Men refuted any suggestion that they ever were members of a literary movement; this was perhaps most vehemently denied by Kingsley Amis. Was there any organized movement as far as the working-class novelists were concerned?

Sillitoe: I'm not aware of anything of that sort and have not even read the books of some of the writers you have mentioned. I cannot understand why people are always looking for trends and movements. Writers work just as all others: miners, engineers, psychologists. From their point trends do not exist. Why should they exist in writing? Although I admit that looking from a distance some similarities may appear, the writer himself usually does not realize it.

Hájek: A few weeks ago you published a new book of stories, *Guzman, Go Home*, but many people still know you chiefly as the author of one short story, "The Loneliness of the Long Distance Runner," a story which seems to be overshadowing everything that you have written so far. How do you feel about it?

Sillitoe: I think those people are absolutely right. This story of a working-class youth is at the same time the statement of my artistic integrity. I shall never write anything to uphold this Establishment and this society. And I'm ready to stick to my principles even to a self-damaging extent. One has to be very careful about moral decisions in this society.

Hájek: Do you think that the English society can be potentially dangerous to you?

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Sillitoe: Maybe to others, but not to me any more. Once you start to fight there is no danger, you either die or keep fighting. Each individual has to make a choice: either to accept this society or stand up against it.

Hájek: What are your main complaints about it?

Sillitoe: It's rather difficult to say; the English society is simply not part of me. Whatever I have against it I say through my characters: every character in my books has an opinion, and they are all mine. On the other hand, it is very difficult to write about something you hate, you have to try to understand and even show some sympathies. That is why people, who consider writers from a political rather than artistic viewpoint, accuse them of being treacherous: they take this for sympathizing with the enemy. Also, they want to know what exactly are the writer's own views. But a writer's views, that's a broad category. If they ask me what I am, a Communist or Socialist, etc., I can only answer that I'm on the Left, beyond that I can't say much. . . . A writer never stands still. When you are young, everything is simple, but I am not young any more, I'm 40 and that means that I am leaving a lot of simplicities behind. Basic beliefs stay, but things now look more complex.

Hájek: What do you think about young people today?

Sillitoe: I can hardly say anything about them, because I do not know them that well. After all, my experience may be different from theirs. . . . My own life has been shaped by the fact that at 17 I was working in a factory. There I became politically active; the three years that I spent in the factory seemed like an eternity: at 17 I was already an old man. I believe that work is finally the most important factor in a person's life and if you want to know about young people today you could learn all about them by exploring their work. . . . They say that young people are suspicious of the older generation who have an aim in life. At 17 I didn't have an eye on the future. I went to a factory which existed; I had a girl friend and she existed; everything else was beyond me. Earning a living takes from you the capacity to see into the future. And the majority of English young people work hard—in Sheffield, Manchester, Glasgow, that's where you would have to go to know them.

Hájek: It seems to me that the title story of your book stands a little apart from the others, dealing with the interrelation of art and politics. Would you say that it is in any sense programmatic?

Sillitoe: I had a hard time writing it; that was five years ago. As an old Nazi, Guzman was such a despicable character that I had to joke about him; otherwise I could have no sympathy for him. Making fun of him helped. The framework of the story is that an English artist getting away from politics arrives in Spain. There he meets a man, Guzman, who in his youth wanted to be an artist, but as he also yearned for a father to provide him with an intellectual shelter, he joined Hitler. The English artist is saved; he realizes that it is not possible to avoid politics. You cannot abandon political realities, otherwise you would have to hand it to people who would make it bad for you. There is much psychological engineering going on in England today to make art and politics separable. The aim is to make artists accept the Establishment and become part of it. But politics is a part of everyday life and a writer cannot avoid it just as he cannot avoid psychological research. However, for him the only way to engage in politics should be through writing. He should not address crowds and he should keep out of organizing. And he should make statements only if compelled to do so by a very deep inner force.

Hájek: What is the role of the mass media in all this?

Sillitoe: The role of the newspapers is to distort human life, the writer's duty is to preserve it. He is in direct conflict with newspapers. The lie by which newspapers live seeps down from their owners.

Hájek: But what about Capek, I suppose you would not know his journalistic work, but for instance Hemingway . . .

Sillitoe: . . . and Graham Greene, too. But they left after a time. They moved from lies to truth. On the other hand, highest ideals do not always work out in practice. Individual journalists may be honest people, but they have to do it because they have wives and children. I can understand that and excuse it. A factory is different; there you are not dependent, you can leave and find another job at any time. . . .

Hájek: Without risking unemployment?

Sillitoe: It is not that difficult to find a job nowadays.

Hájek: You said that there was no sense in looking for literary trends. But what is the present state of English literature?

Sillitoe: I think that for a capitalist country English literature is in a quite healthy state. There are, however, strong right-wing tendencies in literary circles here; those people are the Stalinists and Zhdanovites of English society and they have a few hundred thousand ready to listen attentively to their pronouncements. The recent scandal about Yevtushenko's candidacy for the Oxford professorship was instigated by them and by the English editors who traditionally like poets to attack one another. I do not remember two workers attacking each other in the factory and neither do doctors or engineers engage in that pastime. Writers do and they are being encouraged to do it, because the English dishonor their writers. In this country, as in any other, a writer is liked if he is loyal to the system. But it is the writer's duty in a sense to be disloyal. In the modern world, he is one of the few people who are listened to, and his primary loyalty should be to his integrity and to his talent. He can speak up in many ways; the best way is to write a book.

Hájek: What if he cannot publish it?

Sillitoe: I can only tell you what I would do if I were in that situation. If this happened to me in England, I would go back to work in a factory. I know that I would need some time to grow my muscles again, and I know that it is easy to say it in this marvelous flat. Perhaps I could work as a driver or find some other kind of job. If I were threatened by prison or asylum as well, then I would do everything to get out of the country, although I am quite aware that a lot of things may make this decision difficult—to face the drop in standard of living, etc.

Hájek: Would you be able to continue writing about England while living in another country?

Sillitoe: I'm absolutely sure I would. Even after ten or twenty years spent abroad. Actually I lived in Spain from 1952 to 1958 without any contacts with home. And it was there, in Fascist Spain, that I wrote "Saturday Night and Sunday Morning" and part of "Key to the Door." It is a desperate measure, however, for a writer to leave his country. And not all can stand the separation. Dostoevsky kept going abroad; he wrote *The Idiot* in Florence, and you cannot tell. Turgenev lived outside his country

ARTICULATION

Night. The winedrinking begins
There must be something
arbitrary about who you give
your love. So let it be.
Let me go on dreaming
floating on her hair.
Honesty is to introduce an
instability into an instability.
I am the cloud, floating
because I am still objective.
I am the black goat
by the thatched hut.
I am going to go out now
into the mud. It is no good
thinking it out for yourself.

DAVID RAY

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longer and it began to show. Forcible exile is even worse: Bunin was steadily declining. But Gorki suffered as much for staying in Russia: they both deteriorated.

Hájek: Doesn't it also depend on . . .?

Sillitoe: . . . whether the writer comes from a large or a small nation, I know; I evaded this problem as I thought it may embarrass you. Certainly it does. Members of large nations may find it easier to live abroad, as they usually meet with influences of their own culture all over the world. This applies especially to the English. But it is not that simple: the French mostly do not stay abroad; they just travel a lot. A writer can never be safe; I can lose my ability to write in three months wherever I am. What has been very helpful in this respect is a capacity I gained in the factory to not look ahead. Perhaps it is not so good, but it is definitely part of me.

Coffee was getting cold on the simple plywood desk in Alan Sillitoe's study, suggestive of a workbench. We continued to talk for a while about his recent visit to the USSR and then we drank up the coffee and said good-by. Outside, it occurred to me that a man could acquire Sillitoe's feeling about everything being temporary even if he had never worked in a factory.

Book Marks

SARA BLACKBURN

BRUNO'S DREAM. *By Iris Murdoch. The Viking Press. 311 pp. $5.75.*

In her twelfth novel, Miss Murdoch once again invents a gallery of absurd and grotesque characters, marches them through a series of zany relationships that are wildly improbable, and makes us care intensely about them. The two who stand out here are the title character Bruno and his servant, Nigel. Bruno lies on his deathbed, ancient and deformed by illness, surrounded by the debris and bitterness of his past, and has a final vision of his life and death that is dazzling in its revelation. The mystic, omnisexual Nigel, possessed of powers he chooses to use only in moderation, provides insights into the lives of his fellow characters which grant them dimensions still broader than the considerable ones Miss Murdoch has allowed them to exhibit for themselves. There are at least two other truly memorable characters in this prophetic romp; all have it in common that they are at first pitiful, then hilarious, and finally, somehow, glorious.

CROSSINGS. *By Chuang Hua. The Dial Press. 215 pp. $3.95.*

Although there is something dreamily engrossing about her novel, Chuang Hua's young Chinese-American heroine is the kind of woman who seems to get consistently and literally beaten up by men, whom she both attracts and maddens by her mysterious and unalloyed passivity. It's all accounted for here in the flashback sequences, which sketch Fourth Jane's childhood as a member of a Chinese family that emigrated to America and continued its tight structure of loving but terrified obeisance to a powerful father; but, background or not, it is hard to care about Fourth Jane as she goes through the dainty, precise, emotionless motions of her affair with her married journalist lover in an unnamed European city. Instead of seeming charged with unreleased emotion, she seems only stunned by a past she can neither absorb nor discard. The descriptions of that past are interesting, but Fourth Jane is not.

TO FIND A MAN. *By S. J. Wilson. The Viking Press. 185 pp. $4.95.*

This book tries so hard to be a warmhearted, funny-but-sad Jewish novel, and fails so badly, that it's a phenomenon. During a summer that is to mark the end of their childhood, the hero's beloved friend has need of an abortionist, and he is appointed to find one. All the characters are *menschen*. Mr. Krumhauf: "Look at it this way. Six million Jews were destroyed. If you married her and she had the baby, well, wouldn't it be like cutting the number to five million, nine hundred and ninety-nine. . . ?" There is a possibility that Mr. Wilson's tale might have made a creditable short story, but he can't decide whether he is Meyer Levin or Bruce Jay Friedman, and he's had to pad out the novel by pages of Broadway-type monologues by other Mr. Krumhaufs, so that it is finally not sad, not funny but only doggedly clever.

THE OTHER SIDE OF THE MOUNTAIN. *By Michael Bernanos. Translated from the French by Elaine P. Halperin. Houghton Mifflin Co. 107 pp. $4.95.*

What are they talking about? ("A great symbolic novel. . . ." *L'Express*; "A dark and beautiful exploration of interior landscapes, the craters of the mind." *The New York Times.*) It is difficult not to wonder what kind of attention this badly written and tedious novel would have received were it not written by the prematurely dead son of Georges Bernanos. Although it comes complete with human cannibalism, man-eating plants and the huge blue eye of a great Someone, the longest and dullest acid dreams on record don't begin to approximate it for boredom. I'm surprised that people who have no trouble making fun of Kahlil Gibran fall back in awe at M. Bernanos' baleful allegories. (Some typical pomposity: "While negotiating the various stages of our journey, we had headed toward an objective that for us could only mean salvation. Having achieved our goal, what would we really discover on the other side?") Audiences who admire either *Mount Analogue* or *2001* should particularly be warned away.

THEATRE

HAROLD CLURMAN

A prominent London producer's habitual word of praise is "clever." I am never able to tell whether it is an example of English understatement or indicates a reservation. *Hadrian VII*, Peter Luke's dramatization of Baron Corvo's novel (Helen Hayes Theatre), is a clever play. By this I mean that it possesses more cunning than content, more adroitness than substance. Its skill consists in flattering its audience with a comfortable feeling that what it is seeing is intellectually sharp, humanly perceptive, artistically polished, while in truth it is mostly hokum that employs a great many devices of the middle-class theatre ever since there was one.

The original author, Fr. Rolfe, who wrote under the pen name of Baron Corvo, recounts the story of a man (himself to a large degree) of strong religious conviction who, despite or because of his fanatic devotion to Christian (Catholic) faith, as well as his acerbic forthrightness, has been denied the priesthood he fervently desires. He imagines himself elected Pope—the Hadrian VII of the title—and in that lofty station bringing about extraordinary reformation in Church practices: the most significant (and impossible) being the abandonment by the hierarchy of all its secular interests and possessions. This fantasy is the novel which Rolfe writes while he remains an impecunious painter, photographer and author.

We see Rolfe as a person plagued by doubts about everything, beset by all manner of venial sins, including an aptitude for insult. But he is no hypocrite, he has an alert mind, he is especially talented in the use of language, and he will have no truck with anything but the core of Christian revelation.

The play's message suggests that religion is to be respected even by those who profess none, and that the truly

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devout are not to be identified with the often shady machinations of the clerical bureaucracy. This "lesson" is one that everybody can noncommittedly approve. It is here couched in well-rounded quips besides being animated by a villainous Irish-Protestant bigot as the antagonist, a shrewdly genial Italian prelate to add local color in splendid cardinal red (that blazes handsomely on the stage) and well-phrased invectives hurled at the myrmidons of the Church. All of this is softened by touches of sentiment on behalf of the humble, the modestly pure in heart, before whom the acidulous Rolfe himself melts to kindness. Every scene is composed of a disguised stereotype.

Though less strenuously stylish, the play is written after a fashion which reminds me of the literary self-congratulation in *The Lion in Winter*. *Hadrian VII* may therefore be set down as engaging, entertaining or whatever other encomium conveys an emollient without injurious ingredient. For purposes of publicity, one may go so far as to declare it "one of the best plays of the season," for on Broadway at the moment there is only *The Great White Hope* and *The Man in the Glass Booth* to set beside it. In itself the play is what the French characterize as *le faux bon*—the fake good, the "sophisticated."

Its unquestionable success is Alec McCowen's performance as Rolfe. His acting is a technical triumph. Every reading and intonation is meticulously calculated and hits the designated target of intention perfectly. The observation is sound, the execution precise, the effort tremendous. There is more intelligence than feeling, more craft than personality, more *stage* experience than experience. I admire the performance—high-grade professionalism is always gratifying—but it is not important acting except by comparison. It is basically dry and thin.

This brings me to a matter of general consideration in regard to the present state of the American theatre. The fact that the two outstanding current performances (apart from that of James Earl Jones in *The Great White Hope*) are being given by middle-aged English actors—Donald Pleasence and McCowen—is certainly not a matter of national superiority or of innate talent. It occurs because the English theatre provides its actors far more opportunities to act than does the American stage.

This is evident with Julie Harris in *Forty Carats*, a play from Paris by Jay Allen (Morosco). It is an innocuously smooth little comedy dedicated to the proposition that a man of 45 may marry a girl of 17 and a lady of 42 may marry a youth half her age without damage to any of the parties. It is nicely played by the entire cast and for Miss Harris, beautifully gowned and looking very pretty (I didn't like her third-act hair-do), it is a cinch of natural charm and ease.

Miss Harris is at least as good an actress as Joan Plowright, but while the English actress was playing Ibsen, Chekhov, Shakespeare and Harold Brighouse (*Hobson's Choice*), Miss Harris appeared in only a few minor movie roles, two near farces, and several television shows. Compare, to continue the parallel, the careers of such highly endowed actors as Alfred Lunt and Fredric March with those of Laurence Olivier, Michael Redgrave or John Gielgud. Marlon Brando, an actor of extraordinary subtlety and power, has done very little with his native capacity, while Paul Scofield, Albert Finney, Peter O'Toole, Alan Bates employ to the utmost their abilities on stage (and screen).

I understand the thoughtless exaggeration of the critical fraternity: we want to keep our theatre *going*. Thus pleasant shows are constantly greeted by such superlatives as "the best" of the season, of the year, of the decade. I fully expect any day that a review will recommend a show as being the best on the north side of 45th Street. *Promises, Promises*, a new musical with book by Neil Simon (from Billy Wilder's film *The Apartment*), music by Burt Bacharach, profits largely by such standards.

Bacharach's score, in particular, has enjoyed a highly favorable press. Its notable lack of good tunes is saved by "rock" noises, supported by conventionally soothing choral harmonies piped in from off-stage. The sentiment of the story is routine, but the permissiveness toward the ugly-vulgar—as in the case of the four elderly married gentlemen who use a minor employee's apartment for their weekly hanky-panky with sundry girls—is made genuine by audience recognition. There are a number of laugh lines, all of which I forgot ten minutes after they had been spoken.

The chorus provides one very cute girl (I'm sorry I can't identify her by name); Jerry Orbach in the lead is remarkable for his honest good will and hard labor; Marian Mercer does a winning bit as a good-humored, bright-witted lady on the loose, and Larry Haines is a practiced comedian of inevitable effect. Everything moves with reassuring dispatch, and a good time may be had by all those who can afford hot-ticket prices. The show is an enormous hit and one can safely call it the best musical on 44th Street—though there is always *Hello, Dolly!*

At the Forum of the Repertory Theatre of Lincoln Center are two one-act plays by Charles Dizenzo, collectively advertised as *An Evening With Merlin Finch*. The author takes a dim view of business office routine: it either freezes folk into perpetual foolishness or drives them crazy without liberating them sufficiently to break their bonds. He is even more scathing about middle-class family life, especially as it affects the young. These plays are extravagant farces with some truly merry moments.

Though he hasn't yet achieved the keen edge of Albee's *The American Dream*, the author may be said to show promise. I suspect that his plays might have been more telling if the director, George Sherman, had not forced the fun so much with raucous tones and breakneck pace, pressing the plays closer to burlesque than to satire. Or were the textual gags too sporadic to give the evening a consistently jocose body?

Some recent Broadway entries which I might have noticed closed too quickly to be worth the space. I mention them here simply to say that the "worst" in our theatre is not as inferior to the "best" as we might suppose from the harsh reviews the former receive. A comedy by Herb Gardner revealed an endearing strain and offered Robert Dishy, an unusually deft young character actor, and deliciously giving Brenda Vaccaro, both of whom afforded pleasure. Dorothy Loudon was really nice in a hapless musical.

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FILMS / Robert Hatch

Grazie Zia, written and directed by the 24-year-old Salvatore Samperi, recalls *Fist in His Pocket*, the work of another young Italian, Marco Bellocchio, who is best known in this country for *China Is Near*. The pictures are similar in that they lure the viewer, lightly, with no appreciable pressure, into experiences much more excruciating than he is made ready for by the tone of the pieces. Centuries of fiction have conditioned us to trust that the author will not display a grinning skull without having given the preliminary warning of a thunder clap; we learn to survive life without the protection of portents, but in fiction we depend on them. Both Samperi and Bellocchio are candid about what is going on, but they take advantage of the audience's somewhat arrogant assumption that its expectations will be respected.

The two films are related also by the fact that Lou Castel plays the male lead in both of them. Castel is a commanding and eloquent young actor whose career may be in some peril from the fact that he conveys mental illness so convincingly. Let a handsome young actor play around with psychopathology a couple of times and no audience is going to be happy if he shows up on a third occasion in surgeon's kit or offering to drive the heroine home. Castel is in some danger of being typed.

Alvise, son of a wealthy businessman, is paralyzed from the waist down (or so everyone believes) and confined to a wheel chair. (Castel handles the wheel chair with a dexterity that would please Chaplin.) He is definitely not an object of pity. Bright as hell, and as nasty, he is arrogant, sadistic and cunning. No one can stand him except his aunt (Lisa Gastoni), on whom his self-concerned parents dump him for an extended visit.

The thing to ask yourself as the picture develops is why this aunt is such a striking exception to the chorus of detestation. True, she is a doctor with a strong sense of mission to the underprivileged, but her interest in Alvise does not seem to be predominately professional. One may get a better clue by noting that, though a bright and handsome woman, she has allowed herself for fifteen years to be the mistress of a complacent bore.

I don't want to go into more detail about the effect that Alvise and his *zia* have on each other, because in abstract the story would seem implausible, designed to shock. In Samperi's quiet, economic, completely sophisticated telling it is not only credible but almost inevitable. It is also, except for its ambience of Italian postwar wealth, wonderfully inventive. For example, reference to Vietnam has become a hallmark of the contemporary Continental film makers; Samperi uses it, however, not to vent moral indignation on the United States but as the avocation of a crook-minded boy.

The events in *Grazie Zia* are not things that happen every day, but it is more important that they could happen any day. I came from the theatre with that sense of guilt one feels when disaster has built up and overwhelmed a friend right before one's unseeing eyes.

Like most reviewers, I avoid reading other notices, at least until I have written my own, but Godard's *Pierrot le Fou* left me so blank-minded that I sneaked a few looks. It didn't help much. The consensus seeemed to be that it is a charming, witty and beautiful picture, superbly acted by Jean-Paul Belmondo and Anna Karina. I still don't know what it is about. Of course, it is about love; and about violence, of course. But in what aspects, precisely? And though Belmondo and Miss Karina are delightful of aspect and move like trout, how can one know that they are doing such whopping good jobs unless one knows what the jobs are supposed to be? It is difficult to judge acting in the absence of cause and effect.

When a dwarf is stabbed to death with a pair of scissors in the back of his neck, do we understand this to be funny, chic, socially significant, or plain gratuitous grue? When Belmondo blows himself up at the end, the sticks of dynamite are patently false, but the explosion is real; do we laugh or mourn? Do we, indeed, care about any of these people; are we perhaps being confused into the insensitivity that Godard is said to abhor?

I've been here right along and I know one isn't supposed to ask questions of this sort with respect to Godard; it shows lack of respect. He is a man of great talent who does as he pleases. One thing that pleases him is to insert a lot of printed and written matter into his films; another is to make out-of-context references to the movie archives. These are gadgets, and they don't gain by repetition.

Godard is indeed a brilliant director, we are much in debt to him, and he has earned the right to a degree of self-indulgence. The question is, how much self-indulgence has he earned?

François Truffaut has devised in *Stolen Kisses* a vaudeville for the natural charm and professional dexterity of Jean-Pierre Leaud. It is a picture stuttering with activity and devoid of content—humorous, well-mannered, amorous, picturesquely Gallic—which reminds me of René Clair in the period of *Sous les Toits de Paris* and *Le Million*. I suspect that such productions are intended to increase trans-Atlantic travel, but I don't object as long as they are impertinent without becoming pretentious.

Truffaut and Leaud, with an able supporting cast, could turn out this sort of thing by the acetate mile; it requires ingenuity and energy, but no real invention. Indeed, I suppose from a couple of *non sequiturs* in the finished print (as from the fact that the American distributor's resumé departs in a number of places from what appears on the screen) that the director was at work with scissors right up to the air-express deadline. Somewhere along the way he also inserted a shadowy figure who emerges at the end to give the tale a "twist." Truffaut was perhaps embarrassed by the innocence of his irresponsible romp (he is, after all, a director of world renown), but the appliquéd significance does not adhere. Except for that, *Stolen Kisses* is an excellent sleight of hand—chicanery to amuse.

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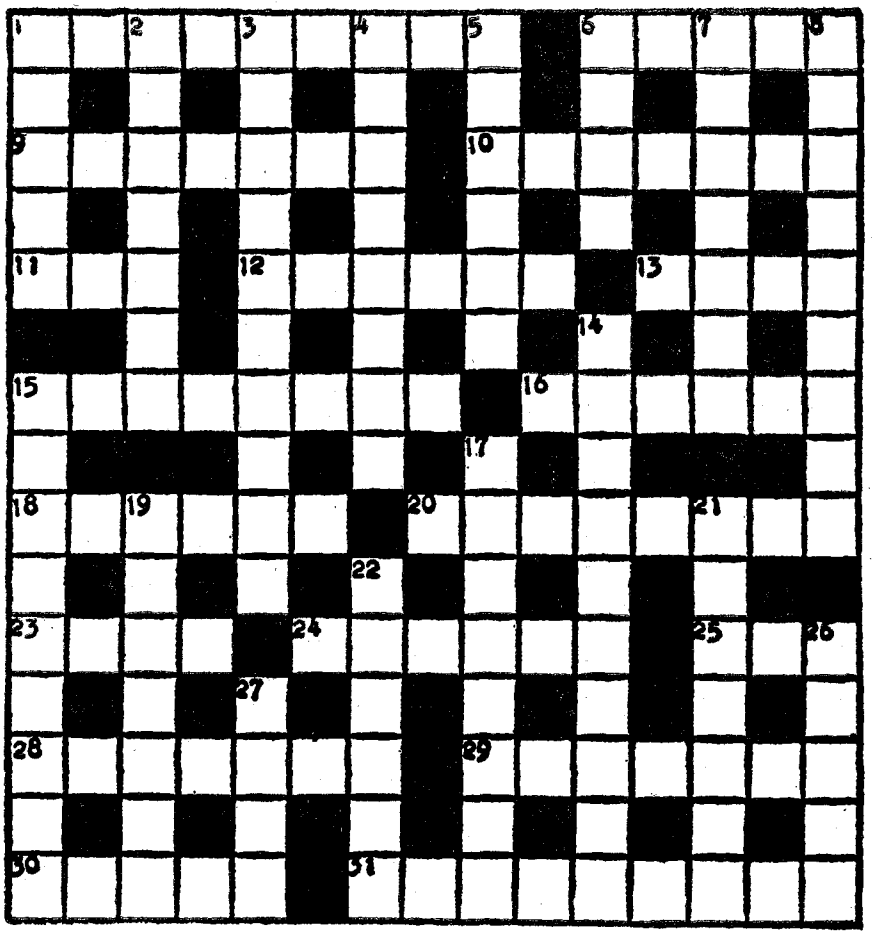
Crossword Puzzle No. 1282

FRANK W. LEWIS



ACROSS

1 A teller of what's true can, or make it up. (9)
6 and 23 across Divide and unite, one by one! (9)
9 Police state composer? (7)
10 Its role might be to show what the time-waster does. (7)
11 and 13 Silk fit for those who want to rise to the top. (3,4)
12 Dined in the current fashion, getting ditched in the process. (6)
15 Dislike for what 1 across might have given differently? (8)
16 Franklin and a rather common girl brought to bay? (6)
18 Walker as a novelist? (6)
20 Inclined to be taken out of setting in the studio? (8)
23 See 6 across
24 Block up, shut up, and depress. (6)
25 See 1 down
28 Rust particles, despite internal lubrication, show the character of Virgil. (7)
29 Temporarily took over and gave out the letters. (7)
30 What a labor walk-out might lead to with management. (3-2)
31 Under date of this, with the original state altered. (9)

DOWN

1 and 25 across We might ride in one with stacks to the driver's left. (8)
2 Prisoner in one sort of underground opening within another. (7)
3 They don't exactly strike one as being the neighbor's daughters! (4,6)
4 No evader of trouble would make the effort! (8)
5 A stand-out job of assistance! (6)
6 See 21 down
7 The sound of Victory over the band—really swinging! (7)
8 Seat in colored material—paid for twice? (7)
14 Tear about a foot off at the end, one answers! (10)
15 Material used in America's cities, when not cried over? (9)
17 Paid up with one offspring? Stop! (8)
19 One might be 2 in the service. (7)
21 and 6 down Used for a training cruise? It might pay to be educated! (11)
22 Didn't fail to get handed around. (6)
26 Got in deep? Not very! (5)
27 Project. (4)

SOLUTION TO PUZZLE NO. 1281

ACROSS: 1 Fool's paradise; 9 Leeds; 10 Trousseau; 11 Outdoor; 12 Initial; 13 Twain; 14 Free lance; 16 Handcarts; 18 Hired; 19 Laminar; 22 Endearing; 23 Ogive; 24 Changing times. DOWN: 1 Fall-out shelter; 2 Overtrain; 3 Sassoon; 4 Actor; 5 Atomizers; 6 Instill; 7 Elemi; 8 Bullheadedness; 14 and 21 across For crying out loud; 15 Narcotism; 17 Cantata; 18 Hot-foot; 20 Medoc; 21 Organ.

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